

प्राधिकार से प्रकाशित

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नई विल्ली, शनिवार, जुलाई 4, 1970/प्राषाद 13, 1892

No. 27]

NEW DELHI, SATURDAY, JULY 4, 1970/ASADHA 13, 1892

sस भाग में भिन्न पूष्ठ संख्या वी जाती है जिससे कि यह श्रलग में रुतन के रूप में रखा जा सके। Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II--खण्ड 3--उपखण्ड (ii)

PART II-Section 3-Sub-section (ii)

(रजा यंत्रावर जो छोड़ जर) भारत सर गर के मंत्राजयों कोर (संब क्षेत्र प्रकासन को छोड़ जर) के जीय हथि एशों द्वा ा जारी िये गरे विधि र झादेश झार झिथा हो ।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 27th June 1970

S.O. 2250.—Whereas the Central Government is of opinion that the system of booking accommodation in pilgrim ships for Haj pilgrims specified in the Schedule annexed hereto should be enforced during the Haj season in 1971.

Now, therefore, in exercise of the powers conferred by Section 456 of the Merchant Shipping Act, 1958, the Central Government hereby exempts Messrs Mogul Line, Bombay and every other shipping company engaged in pilgrim traffic from Bombay to the Hejaz, from such provisions of the said Act and the Indian Pilgrim Ships Rules, 1933, as are not in conformity with the aforesaid system of booking accommodation in pilgrim ships carrying pilgrims from Bombay to Jeddah during the 1970-71 Haj.

THE SCHEDULE

Systems of Booking Accommodation at Bombay for Haj Pilgrims

1. Schedule of sailings.—Every shipping company shall announce a provisional schedule of outward sailings as soon as possible. Firm dates of sailings shall be advertised by the Shipping Company at least 15 days in advance as required under the provisions of the Merchant Shipping Act, 1958. The Penal Provisions of the Merchant Shipping Act, 1958, shall operate with reference to the firm sailing dates as advertised.

- 2. Advance reservations of passages.—Reservation lists for all sailings announced in the provisional schedule snail be opened by the Company simultaneously and intending pitgrims will have the option of availing passages in whatever ship they like subject to availability of space. Such reservations shall be made only on payment of full passage money by the applicants (adults and children) for first and dock class (according to the details which may be specified in the announcement of the outward sailing programme of the Shipping Company) accompanied by applicants' full particulars with six copies of their photographs (in case of male applicants) out of which one will be pasted on the application for reservation of passages.
- 3. Waiting List.—After reservations have been made to the full extent of the quota fixed by the Government, a Waiting List will be maintained upto 5 per cent of the quota.
- 4. How to obtain tickets.—All persons who may have made advance reservations of passage shall have to obtain their tickets at least 4 days before the salling date. Such of the persons as fail to obtain tickets 4 days in advance shall be deemed to be not travelling in those ships. Passages not previously booked in particular ships or released by passengers who do not obtain their tickets 4 days in advance shall be offered to the persons in the waiting list strictly in accordance with the seniority of applications.
- 5. Mode of remitting advance passage money.—The passage money shall be sent in advance alongwith the applications for passages and shall, as a rule, be sent by bank drafts by the applicants under registered cover; but pilgrims residing in places where banking lacilities are not available shall, as a special case, send the passage money by insured covers.
- 6. Treatment of the advance fare when the passage is not availed of.—(i) When a person has reserved his passage, and does not intend to avail of the same and gives notice of his intention within the time limit notified by the Shipping Company then his advance passage fare shall be refunded in full.
- (ii) In the case of a person who has reserved his passage but is prevented from availing of the same due to unforeseen circumstances such as death in the family, passage fare may be refunded to him in full; any dispute that may arise shall be referred in the first instance to the Chairman, Haj Committee, Bombay, and if the Chairman's decision is not acceptable to the pilgrim concerned or to the Shipping Company, the Chairman shall refer the matter to the Presidency Magistrate or the Magistrate of the First Class exercising jurisdiction in the Port. The decision of the Magistrate shall be final and any amount allowed to him by such decision shall be refunded to him.
- (iii) A person who has reserved his passage by a particular ship but is unable to avail of the same and desires to travel by a subsequent ship, may be given full credit in respect of his advance passage fare towards the cost of passage.
- (iv) In all other cases where a person has reserved his passage but does not give timely notice as stated above, a deduction of 10 per cent will be made while refunding the amount paid by him.
- (v) When a person who has got his name registered on the waiting list and is not offered any passage, the amount paid by him as deposit, shall be refunded to him in full.

of passage as well as waiting lists shall be tren to scrutiny by the Central Government, Chairman of the Haj Committee, I mbay, Executive Officer, Haj Committee, Bombay or 2 members of the Haj Committee, Bombay, nominated by the Chairman of any officer or officers nominated by the Committee for this purpose.

[No. M.H-1180(16)/70.]

SAAD M. HASHMI, Director.

(Europe & Haj Affairs).

Date of Transfer

विवेश मंत्रालय

नई दिल्ली, 27 जून, 1970

एस॰ मो॰ 2250 — न्यूंकि केन्द्र सरकार का विचार है कि 1971 में हज के दिनों में हज-यात्री अहाजों में हज यात्रियों की जगह बुक कराने के लिए संलग्न अनुसूची में बताए गए तरीके का पालन किया जाना चाहिये।

इसलिए, श्रव, व्यापारी जहाज श्रिश्वित्यम, 1958 (मर्चेंट शिपिंग एक्ट 1958) की धारा 456 के श्रन्तर्गत प्रदन श्रिश्वकारों का प्रयोग करते हुए, केन्द्र सरकार इसके द्वारा सर्वश्री मुगल लाइन, बम्बई, को श्रोर बम्बई से हज यात्रियों को ले जाने का काम करने वाली प्रत्येक जहाजरानी कम्पनी को 1970-71 की हज के लिए उक्त श्रिश्वित्यम की ऐसी व्यवस्थाश्रों से भौर भारतीय यात्री जहाज नियम, 1933, से भी छूट देती है जो यात्रियों को बम्बई से जैदा ले जाने वाले यात्री जहाजों में जगह बुक कराने के उक्त तरीके से मेल नहीं खाती।

श्रन्सूची

बम्बई में हज यात्रियों हे लिए जगह बुह फराने का उरीका

- 1. जहाजों के खूटने का कार्यक्रम :—प्रत्येक कम्पनी जल्दी-से-जल्दी जब हो अकेगा अपने जाने वाले जहाजों का अस्यायी कार्यक्रम घोषित कर देंगी। जहाजों के छूटने की ठीक-ठीक तारीखों की घोषणा जहाजरानी कम्पनी कम-से-कम 15 दिन पहले कर देंगी जैसा कि व्यापारी जहाज अधिनियम, 1958 की व्यवस्थाओं के अन्तर्गत करना होता है। व्यापारी जहाजरानी अधिनियम, 1958 की दण्ड-विषयक व्यवस्थायों जहाज छूटने की विज्ञापित पक्की तारीखों से लागू होंगी।
- 2. यात्रा के लिए अप्रिम आरक्षण:—कम्पनी, अस्थायी अनुसूची में घोषित सभी जाने वाले जहाजों में स्थान आरक्षित करने का काम एक साथ णुरू करेगी और यात्रियों को यह छूट रहेगी कि ये जिस जहाज में चाहें अपना स्थान आरक्षित करा लें बार्ते कि जगह सुलभ हो। स्थान आरक्षित तभी कराया जा सकेगा जब कि प्रार्थी (व्यस्क श्रीर बच्चे) पहले दर्जा श्रीर डैक दर्जा के लिए पूरा किराया पहले दें दें (उस क्योर के अनुसार जो कि जहाजरानी कम्पनी के जाने वाले जहाजों के घोषित कार्यक्रम में बताया जा सकता है) श्रीर साथ में प्रार्थी अपना पूरा विवरण दे तथा अपने फोटोग्राफ की 6 प्रतियां भी (यदि प्रार्थी पुन्ध है तो) जिनमें से एक प्रति जहाज में स्थान सुरक्षित कराने के लिए दी गई उसकी श्रर्जी पर चिपका दी जाएगी।
- 3. प्रतीक्ष ह-सूची: —-सरकार द्वारा नियत संख्या में स्थान श्रारक्षित हो जाने के पश्चात इस संख्या में 5 प्रतिशत तक की एक प्रतीक्षक-सूची तैयार की जाएगी।
- 4. दिकट लेने का तरीका:—जिन व्यक्तियों ने याद्वा के लिए अपने स्थान पहले ही से आरक्षित करा रखें हों उन्हें जहाज रवाना होने से कम-से-कम चार दिन पहले अपने टिकट ले लेने चाहिए। जो लोग चार दिन पहले अपने टिकट नहीं लेंगे उनके बारे में यह समझा जाएगा कि वे उस जहाज से या ा नहीं कर रहे हैं। विशिष्ट जहाजों में से जो स्थान पहले से आरक्षित नहीं कराए गए होंगे या चार दिन पहले टिकट न लेने वाले यात्रियों के कारण खाली रह आएंगे वे स्थान प्रतीक्षक-सूची वालों को विशुद्धत: प्रार्थना-पत्नों की वरीयता के आधार पर दे दिए जाएंगे।
- 5. यात्रा किराया भेजने का तरीका:—यात्री किराया स्थान आरक्षित कराने के प्रार्थना-पत्न के साथ पहले ही भेजा जाएगा श्रीर जैसा कि नियम है, प्रार्थी वह रकम रजिस्ट्री गुदा लिफाफे में बैंक

ड्राफ्ट के रूप में भेजेंगे; किन्तु जो यात्री ऐसी जगहों पर रहते होंगे जहां बैंक सुविधा उपलब्ध नहीं है, वे एक विशेष मामले के रूप में बीमा शुदा लिफाफे में यात्रा किराया भेज सकते है।

- 6. यात्रा न करने पर यात्री के अमा िराए की वाधसी:——(1) जब कोई व्यक्ति श्रपनी यात्रा के लिए स्थान मुरक्षित करा ले श्रीर आना न चाहे तथा जहाजरानी कम्पनी द्वारा श्रधिसूचित समय में श्रपनी इस मंशा की सूचना दे दे तो उसका यात्रा किराया पूरा-पूरा लौटा दिया जाएगा।
- (2) अगर किसी व्यक्ति ने अपना स्थान सुरक्षित कर लिया हो और किसी देवी कारणों से जाने न पाये, जैसे, परिवार में किसी की मृत्यु, तो जमा याद्वा-किराया पूरा-पूरा वापस किया जा सकता है। अगर कोई विवाद खड़ा हो तो वह पहले अध्यक्ष, हज समिति, बम्बई, के सामने पेश किया जाएगा और अगर सम्बद्ध यात्री को अथवा जहाजरानी कम्पनी को अध्यक्ष का निर्णय स्वीकार न हो तो अध्यक्ष मामले को प्रेजिडेंसी मजिस्ट्रेट को अथवा उस प्रथम श्रेणी के मजिस्ट्रेट को भेजेगा जिसके अधिकार क्षेत्र में बन्दरगाह आता हो। मजिस्ट्रेट का निर्णय अन्तिम होगा, अपने फैसले में वह जो रकम नियत करेगा वह यात्री को वापस दी जाएगी।
- (3) श्रगर किसी व्यक्ति ने एक जहाज में श्रपने लिए स्थान श्रारक्षित कराया हो श्रौर उसमें न जाने पाए तथा बाद के जहाज से जाना चाहे तो उसका अग्निम जमा यात्रा किराया पूरा-पूरा यात्रा खर्च में लगा लिया जाना चाहिए।
- (4) ग्रन्थ सब मामलों में, जबिक यात्री ने श्रपना स्थान ग्रारक्षित करा लिया हो, किन्तु न जाने की सूचना समय से न दे, जैसा कि ऊपर बताया गया है, तो उसका धन उसे वापस करते समय 10 प्रतिशत की कटौती की जा सकती है।
- (5) जिस व्यक्ति ने भ्रपना नाम प्रतीक्षक-मूची में लिखवा रखा हो भ्रौर उसे जगह न मिल पाए तो उसने जो धन जमा कराया होगा वह पूरा उसे वापस कर दिया जायेगा।
- 7. जांच:—जहाजरानी कम्पनी के याद्या के लिए स्थान आरक्षित करने के रिकार्ड तथा प्रतीक्षक सूचियों की जांच केन्द्र सरकार, हज समिति, बम्बई के अध्यक्ष, कार्यकारी श्रधिकारी, हज समिति, बम्बई, श्रथवा हज समिति, बम्बई के दो सदस्य, जो श्रध्यक्ष द्वारा नामजद किए आएंगे, श्रथवा इस उद्देश्य के लिए इस समिति द्वारा नामजद कोई श्रधिकारी (एक या एक मे श्रधिक) कर सकता है।

[सं० एम० दो० 1180/(16)/70] साव० म० हाश्मी, निवेशक, विदेश मंत्रालय।

नई दिल्ली, 25 मार्च 1970

एस० ग्रो० 1240.—राजनियक एवं कोसली श्रिधकारी (शपथ एवं शुल्क) श्रिधिनियम 1948 के खण्ड 2 धारा ('क) के श्रनुसार, केन्द्र सरकार इसके द्वारा भारत का उप कोंसलावास, जहीदान में सहायक श्री पी० एस० बेदी को 4 फरवरी, 1970 से, श्रगला श्रादेश होने तक, कोंसली श्रिभिकर्त्ता का कार्य करने का श्रिधकार देती है।

्रुस० ग्रो० 1241.—राजन कि एवं कोसली (शपथ एवं गुल्क) ग्रिधिनियम, 1948 के खण्ड -2 आरा (क) के ग्रनुसार, केन्द्र सरकार इसके द्वारा भारत का कोसलावास, खुर्रमशहर, में निजी सहायक श्री जोगिन्दर सिंह को 14 फरवरी, 1970 से, ग्रगला ग्रादेश होने तक, कोसली ग्रभिकर्ता का कार्य करने का ग्रधिकार देती है।

[सं० टी० 4330/2/70]

पी० सी० भट्टाचारजी, भ्रवर सचिव।

ELECTION COMMISSION OF INDIA

New Delhi, the 22nd June 1970

S.O. 2251.—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950, the Election Commission, in consultation with the Administration of the Union Territory of Dadra and Nagar Havell, hereby nominates Shri A. N. Dixit, Collector, Dadra & Nagar Havell as the Chief Electoral Officer for the Union Territory of Dadra and Nagar Havell with effect from the forenoon of the 12th May, 1970 vice Shri M. S. Dayal.

[No. 154/26/70.]

भारत निर्वाचन प्रायोग

नई दिल्ली, 22 जून 1970

एस० औ० 2251. — लोक प्रतिनिधित्व ग्रिधिनियम 1950 की धारा 13क की उप-धारा (1) द्वारा प्रदत्त मिक्तियों का प्रयोग करते हुए निर्वाचन ग्रायोग वादरा श्रौर नागर हवेली संघ राज्य क्षेत्र के प्रशासन के परामर्ग से श्री एम० एस० दयाल के स्थान पर वादरा श्रौर नागर हवेली के कलक्टर श्री ए० एन० दीक्षित को 12 मई 1970 से दादरा श्रौर नागर हवेली संघ राज्य क्षेत्रों के लिए मुख्य निर्वाचन श्राक्तिसर के रूप में एतद्दारा नामनिर्देशित करता है।

[#o 154/26/70]

New Delhi, the 25th June 1970

S.O. 2252.—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950, the Election Commission, in consultation with the Government of Meghalaya hereby nominates Shri V. Ramakrishnan, Secretary (Special) to the Government of Meghalaya, as the Chief Electoral Officer for the State of Meghalaya with effect from the date he takes over charge of the office.

[No. F. 154/18/70.]

नई दिल्ली, 25 जून, 1970

एस० ग्री० 2252.—लोक प्रतिनिधित्व ग्रीधनियम 1950 की धारा 13-क की उप-धारा (1) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए निविचन ग्रीयोग मेघालय सरकार के परामर्श से मेघालय सरकार के सिचव (विशेष) श्री वी० रामकृष्णन की उनके कार्य भार संभालने की तारीख से मेघालय राज्य के लिए मुख्य निविचन श्राफिसर के रूप में एतद्बारा नामनिर्देशित करता है।

[सं० 154/18/70]

ORDERS

New Delhi, the 11th June 1970

- S.O. 2253.—Whereas the Election Commission is satisfied that Shri Jageshwar Khirar, R/o Village Amghata, P.O. Sitamarni, Court, District Muzaffarpur (Bihar), a contesting candidate for the mid-term election to the Bihar Legislative Assembly held in 1969 from 67-Sitamarni Assembly Constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;
- 2. And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has not good reason or justification for such failure;
- 3. Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Jageshwar Khirar, to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/67/69(98).] By Order, ROSHAN LAL, Secy-

प्रावेश

नई दिल्ली, 11 जून, 1970

एस० ग्रो॰ 2253.—यतः, निर्वाचन ग्रायोग का समाधान हो गया है कि बिहार विधान सभा के लिए 1969 में हुए मध्यावधि निर्वाचन के लिए 67—सीतामढ़ी निर्वाचन केने चुनाव लड़ने वाले उम्मीदवार श्री जागेश्वर खिरहर निवासी ग्राम-श्रमधटा, पो॰ सीतामढ़ी कोर्ट, जिला—मुजफ्फर-पुर (बिहार), लोक प्रतिनिधित्व ग्रधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा श्रपेक्षित ग्रपने निर्वाचन व्ययों का लेखा वाखिल करने में श्रसफल रहे हैं;

श्रीर, यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना विये जाने पर भी, श्रपनी इस श्रसफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है; तथा निर्वाचन आयोग का समाधान हो गया है कि उसके पास इस श्रसफलता के लिए कोई पर्याप्त कारण अथवा न्यायोचित्य नहीं है;

श्रतः, श्रव, उक्त श्रिधिनियम की धारा 10-क के श्रनुसरण में निर्वाचन श्रायोग एतद्हारा उक्त श्री जागेश्वर खिरहर को संसद् के दोनों सदनों में से किसी भी सदन के या किसी राज्य की विधान सभा श्रथवा विधान परिषद् के सदस्य चुने जाने श्रीर होने के लिए इस श्रादेश की तारीख से तीन वर्ष की कालावधि के लिए निर्राहत घोषित करता है।

[स०-विहार-वि० स०/67/69(98)]

श्रादेश से,

रोशन लाल, सचिव।

New Delhi, the 14th May 1970

S.O. 2254.—Whereas the Election Commission is satisfied that Shri Jogendra Nath Sarkar, P.O. Chakdah, P. S. Chakdah, District Nadia, (West Bengal), a contesting candidate for the mid-term election held in February, 1969, to the West Bengal Legislative Assembly from 76-Chakdah constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whreas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Jogendra Nath Sarkar to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

INo. WB-LA/76/69 (17).]

नई दि⁻ली, 14 मई 1970

एस॰ भ्रो॰ 2254 --यतः, निर्वाचन धायोग का समाधान हो गया है कि पश्चिमी बंगान विधान सभा के लिए फरवरी, 1969 में हुए मध्यावधि निर्वाचन के लिए 76--चन्नदाह निर्वाचन केन्न ने चुनाव लड़ने वाले उम्मीदवार श्री जोगिन्द्र नाथ सरकार पो॰ श्रा॰ चऋदाह थाना-चऋदाह जिला नादिया (पश्चिमी बंगाल), लोक प्रतिनिधित्व श्रिधिनियम, 1951 तथा तद्धीन बनाए गए नियमो द्वारा श्रमेक्षित श्रपने निर्वाचन व्ययो का लेखा दाखिल करने में ग्रमफल रहे हैं:

श्रीर, यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी श्रवनो इस श्रासकता के लिए कोई कारण श्रथवा स्पष्टीकरण नहीं दिया है; तथा निर्वाचन श्रायोग का समाधान हो गया है कि उसके पास इस श्रमफलना के लिए कोई पर्याप्त कारण श्रयत्रा न्यायोचित्य नहीं है;

श्रवः, श्रवः, उक्त अधिनियम की धारा 10क के श्रनुसरण में निर्वाचन श्रायोग एतद्वारा उक्त श्री गोतिन्द्र नाथ सरकार को संसद् के दोनो सदनों में में किसी भी सदन के या किसी श्रन्य राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने श्रौर होने के लिए इस श्रादेश की तारीख़ से नीन वर्ष को कालावधि के लिए निर्रोहित घोषित करता है।

[म॰ प॰ बिं॰-बि॰ स॰/76-69 (17)]

New Delhi, the 25th May 1970

S.O. 2255.—Whereas the Election Commission is satisfied that Shri Nilkanta Hazra, Village Palashi, P O Feugram, District Birbhum (West Bengal) a contesting candidate for the mid-term election held in February, 1969, to the West Bengal Legislative Assembly from Nanur constituency, has failed to lodge an account of his election expenses in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure:

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Nilkanta Hazra to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB-LA/269/69(18).]

नई दिल्ली, 25 मई, 1970

एस० ग्रो० 2255.—यत: निर्वाचन श्रायोग का समाधान हो गया है कि फरवरी, 1969 में हुए पश्चिमी बंगाल विधान सभा के लिए, मध्यावधि निर्वाचन के लिए नान् र निर्वाचन-क्षेत्र में चुनाव लड़ने बाले उम्मीदवार श्री नीलकान्त हजरा, ग्राम पलाशी पो० श्र ० फ्यूग्राम, जिला बीरमूम (पश्चिमी बंगाल) लोक प्रतिनिधित्व श्रीधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा ग्रपेक्षित रीति में निर्वाचन व्ययो का लेखा दाखिल करने में श्रसफल रहे हैं; श्रीर, यतः उक्त उम्मीदवार ने उसे सम्यक सूचना दिए जाने पर भी श्रपनी इस श्रसकलता के लिए कोई कारण श्रथवा स्वच्टोकरण नही दिया है; तथा निर्वाचन श्रायोग का यह समाधान हो गया है कि उसके पास इस श्रसकलता के लिए कोई पर्योग्त कारण या न्यायोगित्य नहीं है;

श्रतः अब उक्त श्रिबिनियम को धारा 10~क के अनुसरण में निर्वाचन आयोग एत-हारा उक्त श्री नोलकान्त हजारा को संसद् के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस श्रादेश को तारोख से तीन वर्ष की कालाविध के लिए निर्साहत घोषित करता है।

सं० प० बं०-वि० स०/269/69 (18)]

ORDER

New Delhi, the 30th May 1970

S.O. 2256.—Whereas the Election Commission is satisfied that Shri Biswanath Bandyopadhyay, Village and P.O. Karra, District Bankura (West Bengal) a contesting candidate for the Mid-term election held in February, 1969, to the West Bengal Legislative Assembly from 235-Chhatna constituency, has failed to lodge an account of his election expenses within time as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Biswanath Bandyopadhyay to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a state for a period of three years from the date of this order.

[No. WB-LA/235/69(19).]

ग्राप्ते श

नई दिल्ली, 30 मई, 1970

एस० ग्रो० 2556.-पतः निर्वाचन भ्रायोग का समाधान हो गया है कि पश्चिमी बंगालि विधान सभा के लिए फरवरी, 1969 में हुए मध्यावधि निर्वाचन के लिए 235 छाटना निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्रो विश्वनाथ बन्दोपाध्याय, ग्राम एवं पो० कर्रा, जिला बांकुरा (पश्चिमी बंगाल) लोक प्रतिनिधित्व श्रिधिनियम 1951 तथा तद्धीन बनाए गए नियमों द्वारा भ्रमेक्षित समय के भ्रन्दर भ्रमने निर्वाचन ृयों का लेखा दाखिल करने में श्रासफल रहे हैं।

श्रीर यतः उक्त उम्मीदवार उसे मम्यक सूचना दिए जाने पर भी लेखा दाखिल करने में श्रसफल रहा है और उपने श्रानी इस श्राप्तकता के लिए कोई कारण श्राव्या स्वष्टीकरण नहीं दिया है। तथा निर्वाचन श्रायोग का यह सनाधान हो गया है कि उसके पास इत श्रासकनता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

श्रतः श्रव उन्त श्रधिनियम की धारा 10-क के श्रनुसरण में निर्वाचन श्रायोग एतद् अरा उक्त श्री विश्वनाथ बन्दोपाध्याय को संसद् के किसी भी मदन के या किसी राज्य की विधान सभा श्रथवा विधान परिषद् के सदस्य चुने जाने श्रीर होते के लिए इस श्रादेश की तारीख से तीन वर्ष की कार्लिशिध के लिए निर्दाहत करता है।

[सं० पं० व ०-वि० स०/235/69(19)]

New Delhi, the 8th June 1970

S.O. 2257.—Whereas the Election Commission is satisfied that Shri Mohammad Yasin Akbar S/o Shri Mohammad Farooq, R/o Village Sailani, Bareilly, Uttar Pradesh, a contesting candidate for election to the Uttar Pradesh Legislative Assembly from 53-Bareilly Cantonment Assembly Constituency, has failed to lodge

an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

- 2. And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;
- 3. Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Mohammad Yasin Akbar S/o Shri Mohammad Farooq, to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/53/69 (45).]

नई दिल्ली, 8 जून, 1970

एस० ग्रो० 2257.—यतः निर्वाचन ग्रायोग का समाधान हो गया है कि उत्तर प्रदेश विधान सभा के लिए निर्वाचन के लिए 53—बरेली केंट्रनमेन्ट सभा निर्वाचन श्रेत्र से चुनाव लड़ने वाले उम्मीद-वार श्री मोहम्मद पासीन ग्रकबर मुपुत्र श्री मोहम्मद फारूक निवासी गाव सेलानी, बरेली (उत्तर प्रदेश) लोक प्रतिनिधित्व प्रधिनियम, 1951 तथा तद्धीन बनाए गए नियमो द्वारा ग्रपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में श्रसफल रहे हैं;

श्रीर, यतः, उक्त उम्मोदवार ने उसे सम्यक सूचना दिए जाने पर भी इस असफलता के लिए कोई कारण श्रयवा स्पष्टीकरण नहीं दिया है; तथा निर्वाचन श्रायोग का यह समाधान हो गया है कि उसके पास इस श्रसकलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः, अब, उन्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतक्द्वारा उक्त श्री मोहम्मद यासीन अकबर मुगुत श्री मोहम्मद फारुक को संसद् के किसी भी सदन के या किसी राज्य को विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख में तीन वर्ष की कालाविध के लिए निर्साहत करता है।

- S.O. 2258.—Whereas the Election Commission is satisfied that Shri Devki Nandan Sharma, S/o Shri Dharnidhar, R/o Mohalla-Para (Pandan) Town and Post Office Faridpur, District Bareilly, Uttar Pradesh a contesting candidate for election to the Uttar Pradesh Legislative Assembly from 50-Faridpur Assembly Constituency, has falled to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;
- 2. And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;
- 3. Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Devkh Nandan Sharma, S/o Shri Dharnidhar, to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

· [No. UP-LA/59/69(46).]

एस० औ० 2258.—यतः निर्वाचन श्रायोग का समाधान हो गया है कि उत्तर प्रदेश विधान सभा के लिए निर्वाचन के लिए 50 फरीदपुर सभा निर्वाचन क्षेत्र से च्नाव लड़ने वाले उम्मीदबार श्री देवकीनन्दन शर्मा सुधरनीघर निवासी मोहल्ला परा (पानवान) टाउनी व पोस्ट झाफिम फरीदपुर जिला बरेली उत्तर प्रदेश लोक प्रतिनिधित्व ग्रिधिनियम, 1951 तथा नद्द्वीन बनाए गए नियमों द्वारा अपेक्षित श्रपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में श्रसफल रहे ह ;

श्रीर, यतः, उक्त उम्मीदवार ने उसे सम्यक सूचना दिए जाने पर भी इस श्रसफलना के लिए कोई कारण श्रथवा स्पष्टीकरण नहीं दिया है; तथा निर्वाचन श्रायोग का यह समाधान हो गया है कि उसके पास इस श्रसफलता के लिए कोई पर्याप्त कारण या न्यायौचित्य नहीं है;

श्रतः श्रव उक्त श्रधिनियम की धारा 10 -क के श्रनुसरण में निर्वाचन श्रायोग एतदद्वारा उक्त श्री देवकीनन्दन शर्मा सुपुत श्री धरनीधर को संसद के किसी भी सदन के या किसी राज्य की विधान सभा श्रथवा विधान परिषद के सदस्य चुने जाने श्रीर होने के लिए, इस श्रादेश की तारीख से तीन वर्ष की कालाविध के लिए निर्हित करता है।

[मं॰ उ॰ प्र॰-वि॰ स॰ 50/69/(46)]

- S.O. 2259.—Whereas the Election Commission is satisfied that Shri Ram Bilas, S/o Shri Bhagwan Dass, R/o Village Shivrajpur, Post Office Jaraul, Tehsil Faridpur, District Bareilly, Uttar Pradesh, a contesting candidate for election to the Uttar Pradesh Legislative Assembly from 50-Faridpur Assembly Constituency, has failed to lodge an account of his election expenses within the time and in the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder;
- 2. And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;
- 3. Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Ram Bilas, S/o Shri Bhagwan Dass, to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/50/69(47).]

एस० श्रो० 2259.—यतः निर्वाचन श्रायोग का समाधान हो गया है कि उत्तर प्रदेश विधान सभा के लिए निर्वाचन के लिए 50 फरीदपुर सभा निर्वाचन के ले चुनाव लड़ने वाले उम्मीदवार श्री नामित्रलास सुपुत्र श्री भगवान दास निवासी गांव शिवराजपुर डा० जरवल तहसील फरीदपुर जिला बरेली उत्तर प्रदेश लोक प्रतिनिधित्व श्रीधिनियम 1951 तथा तद्धीन बनाए गए नियमों द्वारा श्रमेक्षिल समय के श्रन्दर तथा रीति से श्रपने निर्वाचन व्ययों का लेखा दाखिल करने में श्रसफल रहे हैं ;

ग्रीर यतः, उक्त उम्मीदवार ने उसे मम्यक सूचना दिए जाने पर भी इस ग्रसफलता के लिए कोई कारण श्रथवा स्पष्टीकरण नहीं दिया है; तथा निर्वाचन श्रायोग का यह समाधान हो गया है कि उसके पास इस श्रसफलता के लिए कोई पर्याप्त कारण या न्यायीचित्य नहीं है;

श्रतः श्रव उक्त श्रधिनियम की धारा 10क के अनुसरण में निर्वाचन श्रायोग एतदबारा उक्त श्री रामिवलास सुपुत्र श्री भगवानदास संसद सदस्य को संसद के किसी भी सदन के या किसी राज्य की विधान सभा श्रथवा विधान परिषद के सदस्य चुने जाने श्रीर होने के लिए इस श्रादेश की तारीख में तीन वर्ष की कावानधि के लिए निर्राहत करता है।

[सं॰ उ॰ प्र॰ वि॰ स॰/50/69/(47)]

New Delhi, the 16th June 1970

S.O. 2260.—Whereas the Election Commission is satisfied that Shri Uma Shankar, S/o Shri Babu Ram, R/o Village Barajpur, Post Office Sheorajpur District Kanpur (Uttar Pradesh) a contesting candidate for election to the Uttar Pradesh Legislative Assembly from 303-Chaubepur Assembly Constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

- 2. And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;
- 3. Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Uma Shanker, to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/303/69(50).]

By Order, V. NAGASUBRAMANIAN, Secy.

नई दिल्ली, 16[®]जून, 1970

एस० ग्रो० 22 60—यतः निर्वाचन श्रायोग का समाधान हो गया है कि उत्तर प्रदेश विधान सभा के लिए निर्वाचन के लिए 303 चौबेपुर सभानिर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री उमाशंकर सुपृत्र श्री बाबू राम निवासी गांव वराजपुर डा० शिवराजपुर जिला कानपुर उत्तर प्रदेश क्षोक प्रतिनिधित्व श्रधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित श्रपने निर्वाचन श्रयों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

भौर यत: उक्त उम्मीदवार ने उसे सम्यक सूचना विए जाने पर भी इस श्रसफलता के लिए कोई कारण ग्रथवा स्पष्टीकरण नहीं दिया है; तथा निर्वाचन ग्रायोग का यह समाधान हो गया है कि उसके पास इस श्रसफलता के लिए कोई पर्याप्त कारण या न्यायौचित्य नहीं है;

श्रतः, अब, उक्त अधिनियम की धारा 10-क के श्रनुसरण में नियाचन श्रायोग एतवद्वारा उक्त श्री उमा शंकर को संसद के किसी भी सदन के या किसी राज्य की विधान सभा श्रयवा विधान परिषद के सदस्य चन जाने श्रीर होने के लिए इस श्रादेश की तारीख से तीन वर्ष की कावावधि के लिए निर्राहत करता है।

[सं० उ० प्र०-वि० स० 303/69(50)]

श्रादेश से,

वी० नागसुग्रमण्यन, सर्विष ।

MINISTRY OF HOME AFFAIRS

ORDER

New Delhi, the 19th June 1970

S.O. 2261.—In exercise of the powers conferred by sub-section (1) of section 5 of the Delhi Special Police Establishment Act, 1946 (25 of 1948), the Central Government hereby extends the powers and jurisdiction of members of the Delhi Special Police Establishment to the State of Jammu and Kashmir, for the investigation of any offences specified in the Schedule hereto annexed.

THE SCHEDULE

- 1. Offences punishable under rule 6 of the Indian Passport Rules, 1950 read with sub-section (3) of section 3 of the Passport (Entry into India) Act, 1920 (34 of 1920).
- 2. Offences punishable under section 5 of the Registration of Foreigners Act, 1939 (16 of 1939).
- 3. Offences punishable under sections 10, 11 and 12 of the Aircraft Act, 1934 (22 of 1934) and under any rule made under section 5, 7, 8, 8A or 8B of the said Act.

- 4. Offences punishable under section 14 of the Foreigners Act, 1946 (31 of 1946).
- 5. Offences punishable under sections 10, 11, 12, 13, 14, 15, 16, 17, 19, 20 and 21 of the Dangerous Drugs Act, 1930 (2 of 1930).
- 6. Offences punishable under sections 9 and 17 of the Central Excises and Salt Act, 1944 (1 of 1944).
- 7. Offences punishable under sections 277 and 278 of the Income-tax Act, 1961 (43 of 1961).
- 8. Attempts, abtments and conspiracy in relation to, or in connection with, the offences mentioned in S. Nos. 1 to 7 above, and any other offences committed in the course of the same transaction arising out of the same facts.

[No. 228/3/67-AVD(II).]

B. C. VANJANI, Under Secy.

गृह मंत्रालय

मावेश

नई दिल्ली, 19 जून 1970

फा॰ ग्रा॰ 2661.—दिल्ली विशेष पुलिस स्थापन ग्रिधिनियम, 1946(1946 का 25) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों श्रीर ग्रिधिकारिता का विस्तार जम्मू-कश्मीर राज्य पर इससे उपाबद्ध ग्रन्सुची में विनिर्दिष्ट किन्हीं श्रपराधों के श्रन्वेषण के लिये करती है।

श्रमुसूची

- 1. पासपोर्ट (भारत में प्रवेश) श्रिधिनियम, 1920 (1920 का 24) की घारा 3 की उप-धारा (3) के साथ पठित भारतीय पासपोर्ट नियम, 1950 के नियम 6 के श्रिधीन दण्डनीय श्रपराध।
- 2. विदेशियों का रजिस्ट्रीकरण मधिनियम, 1939 (1939 का 16) की धारा 5 के भ्रधीन दण्डनीय अपराध ।
- 3. वायुयान प्रधिनियम, 1934 (1934 का 22) की धारा 10, 11 घौर 12 के प्रधीन घौर उक्त श्रिधिनियम की धारा 5, 7, 8, 8क या 8 ख के अधीन बनाए गए किसी नियम के प्रधीन दण्डनीय अपराध ।
- 4. विदेशीय श्रधिनियम, 1946 (1946 का 31) की धारा 14 के श्रधीन दण्डनीय श्रपराध।
- 5. खतरनाक औषधि अधिनियम, 1930 (1930 का 2) की धाराओं 10, 11, 12, 13 (4, 15, 16, 17, 19, 20 और 21 के अधीन दण्डनीय अपराध ।
- 6. केन्द्रीय उत्पाद शुल्क श्रौर नमक श्रधियनियम, 1944 (1944 का 1) की धाराश्रों 9 श्रौर 17 के श्रधीन दण्डनीय श्रपराध ।
- 7. श्रायकर श्रधिनियम, 1961 (1961 का 43) की धाराश्रों 277 श्रीर 278 के श्रधीन दण्डनीय श्रपराध ।

8. उक्त कम सं० 1 से लेकर 7 तक में विणित अपराधों के या एक ही तथ्यों से उद्भूत होने वाले एक ही संव्यवहार के अनुकम में किए गये किन्हीं अन्य अपराधों के बारे में या के संबंध में प्रयत्न, दुष्प्रेरण या पब्यंत्र ।

[सं० 228/3/67-ए० वी० **डी०** (II)] बी० सी० वनजानी, ग्रवर संचिव ।

MINISTRY OF FINANCE (Department of Banking)

New Delhi, the 18th June 1970

S.O. 2262.—Statement of the Affairs of the Reserve Bank of India, as on the 5th June, 1970

BANKING DEPARTMENT

LIABILITIES		_	Rs.	ASSETS										Rs.
Comital Dail II			5,00,00,000	Notes	•	•			•	•	•	•	•	12,14,34,00
Capital Paid Up .	•	•	<i>5,</i> - ,	Rupee Coin	•		•	•	•	•	•	•	•	3,50,00
Reserve Fund .	•	•	150,00,00,000	Small Coin	•	•	•	•	•	•	•	•	•	5,25 ,0 0
National Agricultural Credit Term Operations) Fund	(L	ong	155,00,00,000	Bills Purchased (a) Intern		Disco	u nt ed	•			,	•	~	••
Total Operations, I am-		•		(b) Extern (c) Govern	al imeni	Tres	sunv	Bills	•	•	•	٠	•	4,02,27,00
National Agricultural Credit (Stabilisation) Fund			35,00,00,000	Balances Held			•	•	•	•	•	•	٠	04,47,90,00
National Industrial Credit (Los Operations) Fund	ng T	erm	75,00,00,000	Investments**			¥	•	•	•	,	•	•	89,61,34,00
Operation, 2 and				Loans and Adva (i) Cent (ii) State	ral G	overd	ment		•			•	•	 1 62, 59,97,00
Deposits—				Loans and Adv				l Bar	kst	•			•	283,48,20,00
(a) Government—				(ii) State						•	•		•	220,67,68,0
(a) Government—				(iii) Othe	rs.	•	•	•	•	;	*	£	•	5,30,59 ,0

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GAZETTE OF INDIA: JULY 4,
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1970/
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		Credit (Long Term Operations) Fund—
(ii) State Governments ,	6,69,46,000	(a) Losns and Advances to :
		(i) State Governments 33,79,23,000 (ii) State Co-operative Banks 14,72,68,000 (iii) Central Land Mortgage Bank
(b) Banks—		(b) Investment in Central Land Mortgage Bank L ebentures
(i) Scheduled! Commercial! Banks .	176,45,82, 00 0	Loans and Advances from National Agricultural Credit (Stabilisation) Fund—
(ii) Scheduled State Co-operative Banks	9,72,28,000	Loans and Advances to State Co-operative Banks 4,35,95,000
(iii) Non-Scheduled State Co-operative Banks	76,13,000	,
(iv) Other Banks	19,82,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund—
(c) Others	000,18,10,001	(a) Loans and Advances to the Development Bank 6,26,71,000
Bills Payable	41,22,46,000	(b) investment in bonds/debentures issued by the Development Bank
Other Liabilities	156,77,96,000 \	Other Assets
Rupecs	1004,69,66,000	Rupees , 1004,69,66,000

Loans, Advances and Investments from National Agricultural

^{*}Includes Cash, Fixed Deposits and Short-term Securities.

^{**} Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary over-drafts to State Governments.

[†]Includes Rs. 113,12,35,000 advanced to scheduled commercial banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act, ††Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

An Account parsuant to the Reserve Bank of India Act, 1934, for the week ended the 5th day > June, 1975

		Issue De	PARTAINT	 	
LIABILITIES	Rs.	Rs.	ASSETS	 Rs.	Rs.
Notes held in the Banking Department	12,14,34,000		Gold Coin and Bullion :		
Notes in Circulation	4085,27,01,000		(a) Held in India (b) Held outside India	182,53,11,000	
Total Notes issued		4097,41,35,000	Poreign Securities	401,42,00,000	
			Rupee Coin Government of India Kuree Securiti Internal Bills of Exchange and othe commercial paper		583,95,11,000 50,93,29,000 3462,52,95,000
TOTAL LIABILITIES		4097,41,35,000	Total / ssers		4097,41,35,00
ed the 1 th day of June, 1970.				 В.	N. Adarkar, Governor.
		_	~ 	[No.	F. 3(3)-BC/70.]

THE GAZETTE OF INDIA: JULY 4, 1970/ASADHA 13, 1892

वित मंत्रालय (बैंकिंग विभाग) नई दिल्ली, 18 जून 1970 एस॰ मो॰ 2262—5 जून 1970 को रिजुर्व बैंक ग्राफ इंडिया के बैंकिंग विभाग के कार्यकलाप का विवरण।

देयताएं				रुपये	श्रास्तियां			स्पये
बुकता पूंजी .	•	•	•	5,00,00,000	नोट		•	12,14,34,000
गरक्षित निधि .	•			150,00,00,000	रुपये का सिक्का		•	3,50,000
					छोटा सिक्का		•	5,25,000
ष्ट्रीय कृषि ऋण	•	•	•	155,00,00,000	खरीदे भ्रौर भुनाये गये बिल :			
दीर्घकालीन क्रियाएं) निधि								
ष्ट्रीय कृषि ऋण .	•			35,00,00,000	(क) देशी	•		• •
स्थिरीकरण) निधि					(ख) विदेशी	•		• •
·					(ग) सरकारी खुजाना बिल	•	•	4,02,27,00
ष्ट्रीय भौद्योगिक ऋण	•	•	•	75,00,00,000	विदेशों में रखा हुग्रा बकाया* .	•		104,47,90,00
दीर्घकालीन क्रियाएं) निधि					निवेश [*] *	•		89,61,34,00
मा राश्चियां :								
क) सरकारी					ऋण और श्रग्रिम :			
(i) केन्द्रीय सरकार				92,83,92,000	(i) केन्द्रीय सरकार को .	•	•	••
(\widetilde{ii}) राज्य सरकारें			•	6,69,46,000	(f ii) राज्य सरकारों को $m @$.	•	•	162,59,97,000
•					ऋण ग्रौर ग्रम्भिम :			
ষ্ব) বঁক					(i) ग्रनुसूचित वाणिज्य बैंकों को†	•	•	283,48,20,000
(i) धनुसूचित वाणिज्य	बैंक			176,45,82,000	(ii) राज्य सहकारी बैंकों को $\dagger\dagger$	•	•	220,67,68,000
(ii) भ्रनुसूचित राज्य सह	ह्कारी बैंक			9,72,28,000	(iii) दूसरों को .			5,30,59,000
, , , , ,					राष्ट्रीय कृषि ऋण (दीर्घंकालीन क्रियाएं)	निधि	से	
					ऋण, ग्रग्रिम और निवेश:			

[PART II

-	देयताएं				रूपये		श्रासि	त यां			रु पये
						(क) ऋए। ग्रीर	ग्र ग्रिम: —				
(iii) गैर-ग्र	नुसूचित र	ाज्य सहका	ारी बैंक	•	76,13,000	(i) राज्य स	रकारों को	•	•	•	33,79,23,000
(iv) ग्रन्य वै	कि	•	•	•	19,82,000	(ii) राज्यः				•	14,72,68,000
						ू (iii) केन्द्रीय				•	• •
(ग) ग्रन्य	•	•	•	•	100,01,81,000	(ख) केन्द्रीय भूर्ी	मेबन्धक र	वैंकों के डि	वेंचरों में	नि वे श	
						राष्ट्रीय कृषि	ऋण (वि	स्थरीकरण)	निधि से	ऋण	
						श्रौर ग्रग्रिम	•	•	•	•	9,65,70,000
य बिल	•	•	•	•	41,22,46,000	राज्य सहकारी बैं	कों को ऋ	ण ग्रौर ग्रन	ग्म .	•	4,35,95,000
						राष्ट्रीय ग्रौद्योगिव			कियाएं)	निधि से	
						ऋण, ग्रग्नि	म श्रौर नि	ावेश :			·
म्य वेयताएं	•	•	•		156,77,96,000	(क) विकास बैंव	क को ऋण	। भ्रौर स्रग्रि	F .	•	6,26,71,000
						(ख) विकास बैंव	क द्वारा ज	ारी किये गरं	ो बांडों/डि	बैंचरों में	निवेश
						श्रन्य श्रास्तियां	•	•	•	•	53,48,35,000
रुपये	•	•	•		1004,69,66,000	रुपये	•	•	•	•,	1004,69,66,000

†ं राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि ग्रौर राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से प्रदत्त ऋण ग्रौर ग्रग्रिम शामिल नहीं हैं। ता रीख: 10 जून, 1970।

^{**}राष्ट्रीय कृषि ऋण (दीर्घकालीन ऋियाएं) निधि ग्रौर राष्ट्रीय ग्रौद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि में सं कियं गये निवेश शामिल नहीं हैं ।

[@]राष्ट्रीय कृषि ऋण (दीर्घकालीन कियाएं) निधि से प्रदत्त ऋण श्रीर ग्रिपम शामिल नहीं हैं , परन्तु राज्य सरकारों के ग्रस्थायी ग्रोवरड्राफ्ट शामिल हैं। ंरिजर्व बैंक श्राफ इंडिया ग्रधिनियम की धारा 17 (4) (ग) के ग्रधीन ग्रनुसूचित वाणिज्य बैंकों को मियादी बिलों पर ग्रग्निम दिये गये 113,12,35,000 रुपये शामिल हैं।

रिंखर्व बैंकं आफ इंडिया अधिनियम, 1934 के अनुसरण में जून 1970 की 5 तारीख को समाप्त हुए सप्ताह के लिये लेखा इशू विभाग

देयताएं	इ पये	रुपये	ग्रास्तियां	रुपये	रूपये
वैकिंग विभाग में रखे हुए			भोने का सिक्का भ्रौर बुलियन	· · · · · · · · · · · · · · · · · · · · · · · · · · · · · · ·	
नोट पंचलन में नोत	12,14,34,000 4085,27,01,000		(क) भारत में रखा हुम्रा (ख) भारत के बाहर रखा	182,53,11,000	
			हुम्रा विदेशी प्रतिभूतियां	•• 401,42,00,000	
बारी किए गए कुल नोट		4097,41,35,000	बोड़ .		583,95,11,000
			रुपये का सिक्का सारत सरकार की रुपया		50,93,29,000
			प्रतिभूतियां देशी विनिमय बिल ग्रो र		3462,52,95,000
			दूसरे वाणिज्य पत्न .		••
कुल देयताएं		4097,41,35,000	कुल ग्रास्तियां .		4097,41,35,000

गवर्नर । [सं० फ० 3(3)-बी० सी०/70]

New Delhi, the 19th June, 1970

S. O. 2263.—Statement of the Affairs of the Reserve Bank of India, as on the 12th June, 1970,

Banking Department

	LIABILITIES	R_8 .		ASS	ETS					R_{S} .
Capital Paid Up		5,00,00,000	Notes						•	12,35,18,000
			Rupee Coin		•	•	•	•	•	3,47,000
Reserve Fund		150,00,00,000	Small Coin		•		•	•	•	5,33,000
			Bills Purchased and	Discount	ed :					
lational Agricultural Fund	Credit (Long Term Operations)	155,00,00,000								
			(a) Internal (b) External (c) Governmen	ıt Treasu	ry Bill	Is	•	•	:	 19,13,25,000
(ational Agricultural	Credit (Stabilisation) Fund .	35,00,00,000	Balances held Abroads Investments**	•						111,65,66,000 89,38,36,000
			Loans and Advances	s to :						
rional Industrial Cr	edit (Long Term Operations Fund)	75,00,00,000								
			(i) Central Gov (ii) State Gover				•			 175,32,86,000
Deposits :—			Loans and Advances							
(a) Governmen	t		(i) Schedule	d Comm	ercial	Banks	† •	•	•	285,28,05,000
(i) Central Go	vernment	. 151,13,13,000	(ii) State Co	-operativ	e Ban	kș††			•	220,22,89,000

(H)
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	(#) State Govern	ıntetit	s		•				3,73,09,000	(iii) Others
										Loans, Advances and Investments from National Agricul- ctural Credit (Long Term Operations) Fund
(b)	Banks									(a) Loans and Advances to:-
	(i) Scheduled Com: (ii) Scheduled State (iii) Non-Sheduled	Cope	erativ	е Вап		Banks			6,21,95,000 10,02,49,000 70,63,000	(i) State Governments
	(iv) Other Banks			•	•		•		20,44,000	(b) Investment in Central Land Mortgage Bank Debentures Loans and Advances from National Agricultural Credit (Stabilization) Fund 9,65,70,000
										Loans and Advances to State Co-operative Banks Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund 4,46,04,000
(c)	Others							9	7,84,45,000	(a) Loans and Advances to the Development Bank . 11,26,71,000
Bill ₈	Payable	•	•	•	•	•	•	3	32,41,70,000	(b) Investment in bonds/debentures issued by the Development Bank
Othe	r Liabilities j							Ŧ	55,34,68,000	Other Assets
						Ru	pees.	104	7,62,56,000	Rupees . 1047,62,56,000

^{*}Includes Cash, Fixed Deposits and Short-term Securities.

^{**}Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

[@]Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

[†]Includes Rs. 103,11,35,000 alvanced to scheduled commercial banks against usance bills under Section 17(4) (c) of the Reserve Bank of India Act, #Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Aricultural Credit (Stabilisation) Fund.

LI	ABILIT	TES		Rs.	Rs.	ASSETS			R ₈ .	Rs.
Notes held in the B	nking !	Depar	ment	12,35,18,000		Cold Coin and Bullion :				
Notes in circulation	•			4119,59,68,000		(a) Held in India(b) Held outside India	:	:	182,53,11,000	
Total Notes issued	•		٠		4131,94,86,000	Foreign Securities ,			401,42,00,000	
						Total				583,95,1 1 ,000
						Rupee Coin		•		50,46,84,000
						Government of India Rupe Internal Bills of Exchange a commercial paper			-	3497,52,91,000
TOTAL L	ABILITI	3	. –		4131,94,86,000	TOTAL ASSETS .		•		4131,94,86,000

Dated the 17th day of June 1970

S. Jagannathan, h. Governor. [No. F. 3 (3)-BE/70.]

नई दिल्ली, 19 जून, 1970 एस० भो० 2263.—12 जून, 1970 को रिजर्व बैंक ग्राफ इण्डिया के बैंकिंग विभाग के कार्यकलाप का विवरण

देयताएं			रुपये		म्रास्तियां				रुपये
चुकता पूंजी	•	•	5,00,00,000	नोट .					12,35,18,000
प्रारक्षित निधि .	•	•	150,00,00,000	रुपये का सिक्का					3,47,000
				छोटा सिक् _{का}				•	5,33,000
राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि	•	•	155,00,00,000	खरीदे ग्रौर भुनाये गये	बिल :				
ताष्ट्रीय कृषि ऋव .	•		35,00,00,000	(क) देशी					• •
(स्थिरीकरण) निघि				(खं) विदेशी	•	•			
				(ग) सरकारी ख	त्राना बिल				19,13,25,000
राष्ट्रीय ग्रौद्योगिक ऋष .	•	•	75,00,00,000	विदेशों में रखा हुग्रा ब	काया*		•	•	111,65,66,000
(दीर्घकालीन क्रियाएं) निघ्व जमा राशियां :—-	•	•		निवेश** ऋण ग्रौर ग्रग्रिम :—	٠	•	•	•	89,38,36,000
(क) सरकारी									
(i) केन्द्रीय सरकार	•	•	151,13,13,000	(i) केन्द्रीय सरव	नार को	•	•		• •
(ii) राज्य सरकारें	•	•	3,73,09,000 ³	١, ,	_	•	•		175,32,86,000
				ऋण ग्रौर ग्रग्निम :					
(ख) बैंक			_	🏒 🎚 (i) अनुसूचित					285,28,05,000
(i) श्रनसूचित वाणिज्य बैंक		•		$\int_0^T ({ m i} i) $ राज्य सहब	हारी बैंको कं	1+	•	•	220,22,8 9,000
(ii) भ्रनुसूचित राज्य सहका	रो बेंक	•	10,02,49,000	(iii) दूसरों को				•	4,23,95,000

देवताएं	रुपये	भ्रास्तियां	रुपये
(iii) गैर मनुसूचित राज्य सहकारी बैंक	. 70,63,000	राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि से	
(iv) ग्रत्य बैंक	20,44,000	ऋण, ग्रायम भौर निवेश : (क) ऋण भौर श्रयम :	
(ग) ग्रन्थ	97,84,45,000	$\stackrel{ackslash}{(i)}$ राज्य सरकारों को	33,79,23,000
		(ii) राज्य सहकारी बैंकों को(iii) केन्द्रीय मूमिबन्धक बैंकों को	15,04,54,000
देय बिल	32,41,70,000	(ख) केन्द्रीय भूमिबन्धक बैंकों के डिबेंचरों में निवेश राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से ऋण भौर भ्रमिम:—	9,65,70,000
प्रन्य देयताएं	. 155,34,68,000	राज्य सहकारी बैंकों को ऋष भौर भग्निम राष्ट्रीय श्रोद्योगिक ऋष (दीर्घकालीन क्रियाएं) निधि से ऋण, भग्निम श्रोर निवेश:—	4,46,04,000
		(क) विकास बैंक को ऋण श्रौर श्रप्रिम (ख) विकास बैंक द्वारा जारी किये गये बांडों/डिबेंचरों में ि	11,26,71,000 नवेंश
		ग्रन्य श्रास्तियां	55,71,34,000
	रुपये 10,47,62,56,000	रुपये	10,47,62,56,000

^{**}राष्ट्रीय कृषि ऋएा (दीर्घकालीन ऋियाएं) निधि और राष्ट्रीय भौद्योगिक ऋण (दीर्घकालीन ऋियाएं) निधि में से किये गये निवेश शामिल नहीं हैं। @राष्ट्रीय कृषि ऋण (दीर्घकालीन कियाएं) निधि से प्रदत्त ऋण भीर ग्रप्रिम शामिल नहीं हैं, परन्तु राज्य सरकारों के ग्रस्थायी श्रोवरड्राफ्ट शामिल हैं।

श्वामिल हैं।

[†]रिजवं वैंक म्रांफ इंडिया म्रिविनियम की धारा 17 (4) (ग) के मधीन मनुसूचित वाणिज्य बैंको को मियादी बिलों पर म्रिमि दिये गये 103,11,35,000 ছ০

[†] राष्ट्रीय कृषि ऋण (दीर्षंकालीन ऋयाएं) निधि भौर राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से प्रदत्त ऋण और श्रप्रिम शामिल नहीं हैं। वारीख: 17 जून, 1970

	रुपये	रूपये	भ्रास्तियां	रुपये	रुपये
बैकिंगविभाग में रखे हुए			सोने का सिक्का श्रौर बुलियन		
नोट उंचलन में नोट	12,35,18,000 41,19,59,68,000		(क) भारत में रखा हुआ (ख) भारत के बाहर रखा	182,53,11,000	
			हुम्रा	• •	
जारी किए गए क्रुल नोट		41,31,94,86,000	विदेशी प्रतिभृतियां	401,42,00,000	
			जोड़		583,95,11,000
			रुपये का सिक्का भारत सरकार की रुपया		50,46,84,000
		प्रतिभूतियां देशी विनिमय बिल श्रौर दूसरे वाणिज्य-पत्न .		34,97,52,91,000	
ृत देयताएं		41,31,94,86,000	कुल ग्रास्तियां .		41,31,94,86,000

New Delhi, the 23rd June 1970

- 8.0. 2264.—In exercise of the powers conferred by section 53 of the Banking Reguation Act, 1949 (10 of 1949) and Rule 16 of the Banking Regulation (Companies) Rules, 1949, the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 31 of the said Act and Rule 15 of the said Rules shall not apply to the undernoted banking companies in so far as they relate to the publication of their balance sheets and profit and loss accounts for the year ended the 31st December, 1969, together with the auditors' reports in a newspaper:
 - 1. Bank of Karaikudi Ltd., Madras.
 - 2. Cochin Commercial Bank Ltd., Cochin.
 - 3. Martandam Commercial Bank Ltd., Trivandrum.
 - 4. P. N. N. Bank Ltd., Salem.
 - 5. Sri Venkateswara Bank Ltd. Salem.
 - 6. Sree Poornathrayeesa Vilason Bank Ltd., Tripunithura.
 - 7. United Mercantile Bank (Assam) Ltd., Golaghat.

[No. F.15(8)-BC/70.] L. S. P. SARATHY, Under Secy.

नई दिल्ली, 23 जून 1970

एस० ग्रो० 2264. विनयमन प्रधिनियम, 1949 (1949 का दसवां) की धारा 53 ग्रीर बैंकिंग विनियमन (कम्पनियां) नियमावली, 1949 के नियम 16 द्वारा प्रदत्त शिन्तयों का प्रयोग करते हुए, केन्द्रीय सरकार, भारततीय रिजर्ब बैंक की सिफारिश पर, एतद्वारा यह घोषित करती है कि उपयुक्त ग्रधिनियम की धारा 31 ग्रीर उपर्युक्त नियमावली के नियम 15 के उपबन्ध निम्नलिखित बैंकों पर, उस सीमा तक लागू नहीं होंगे जहां तक कि उनका सम्बन्ध 31 दिसम्बर, 1969 को समात होने वाले वर्ष की लेखा-परीक्षक की रिपोर्ट सहित उन के तुलन-पन ग्रीर लाभ-

- बैंक श्राफ कराइकुडि लिमिटेड, मद्रास
- 2. कोचीन कर्माशयल बैंक लिमिटेड, कोचीन
- मार्तण्ड्म कर्माशयल बैंक लिमिटेड, त्रिवेन्द्रम्
- 4. पी० एन० एन० बैंक लिमिटेड, सलेम
- 5. श्री वेंस्टेश्वर बैंक लिमिटेड, सलेम
- श्री पूर्णत्नयीर्गा विलासम् वैंक लिमिटेड, त्रिपुणीत्तुरा ।
- 7. युनाइटेड मर्केन्टाइल बैंक (असम) लिमिटेड, गोलाघाट ।

[संख्या एफ 15 (8)-बी०सी०/70] ल० एस० पार्थसारिथ, भवर सनिवा

(Department of Revenue and Insurance) \$\text{STAMPS}\$

New Delhi, the 4th July 1970

S.O. 2265.—In exercise of the powers conferred by clause (a) of section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds of the face value of two hundred lakhs of rupees, to be issued by the Gujarat State Financial Corporation, are chargeable under the said Act.

[No. 7/70-Stamps/F. No. 1/22/70-Cus.VII.]

(राजस्व ग्रीर बीमा विभाग)

स्टाम्प

नई दिल्ली, 4 जुलाई 1970

एस० भो० 2265.--भारतीय स्टाम्प ग्रधिनियम, 1899 (1899 का 2) की धारा 9 की उपधार (।) के खण्ड (क) द्वारा प्रदत्त शिक्तयों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उस गुरुक से जिसके द्वारा गुजरात राज्य वित्तीय निगम द्वारा पुरोधृत किए जाने वाले दो सौ लाख रुपए ग्रंकित मूल्य के बन्ध-पन्न उक्त ग्रधिनियम के श्रधीन प्रभार्य है, छुट देती है ।

[सं० 7/70-स्टाम्प/एफ० सं० 1/22/70-सीमा गुल्क]

Customs

New Delhi, the 4th July 1970

S.O. 2266.—In exercise of the powers conferred by clause (a) of section 7 of the Customs Act, 1962 (52 of 1962), the Central Government hereby appoints Bangalore, Srinagar and Varanast as Customs airports for the purpose of loading of export goods, namely, handicrafts, including handloom and silk manufactures, when such goods are taken out of these airports.

[No. 60/70-Customs/F. No. 9/5/70-Cus.VII.]

सीमा शुत्क नई दिल्ली, 4 जुलाई 1970

का० आ० 2266 -सीमाणुल्क अधिनियम, 1962 (1962 का 52) की धारा 7 के उपखंड (क) द्वारा प्रदत्त शिवतयं, का प्रयोग करते हुए केन्द्रीय सरकार निर्यात माल प्रयात् हस्तिशिल्प जिसमें हथकरचा भीर रेशम की विनिर्मितियां सिम्मिलत है, के जब ऐसे माल एअर पोटों से बाहर ले जाए जाते हों लदान के प्रयोजन के लिए बंगलोर, श्रीनगर भीर वाराणसी को सीमाणुल्क एअरपोर्ट के रूप में एतद्द्वारा नियत करती है।

- S.O. 2267.—In exercise of the powers conferred by clause (a) of section 7 of the Customs Act, 1962 (52 of 1962), and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 20-Customs, dated the 22nd February, 1964, the Central Government hereby appoints Ahmedabad and Jaipur as Customs airports for the purpose of loading of export goods specified below when such goods are taken out of these airports, namely:—
 - (a) handicrafts, including handloom and silk manufactures; and
 - (b) jewellery made of gold, diamonds or precious stones.

[No. 61/70-Customs/F. No. 9/5/70-Cus.VII.]

का० भा० 2267.—सीमा शुल्क प्रधिनियम, 1962 (1962 का 52) की धारा 7 के खड़ (क) द्वारा प्रयत्त मिनतयों का प्रयोग करते हुए भीर भारत सरकार के वित्त मंद्रालय (राजस्य विभाग) की प्रधिसूचना सं० 20 सीमाशृत्क तारीख 22 करवरी, 1964 को भिधकांत करते हुए केन्द्रीय सरकार नीचे विनिर्दिष्ट निर्यात माल के, जब ऐसे माल इन एग्रर पोटों से बाहर के जाए जाते हों, लदान के प्रयोजन के लिए भ्रह्मदाबाद भीर जयपुर को सीमा शृत्क एग्रर पोर्ट के रूप में एतद्वारा नियत करती है, श्रर्थात् :—

- (क) हरतिशालप जिसमे हथकरथ। ग्रीर रेशम की विनिर्मितियां सम्मिलित है ; ग्रीर
- (का) रहण के बने परनामुखेण, हीरे या कीमती पत्थर।

[सं॰ 61/70-सीमा गुल्क। का॰ सं॰ 9/5/70-सीमाश्ह्क VII]

S.O. 2268.—In exercise of the powers conferred by sub-section (1) of section 4 of the Customs Act, 1962 (52 of 1962) and of all other powers hereunto enabling, the Central Government hereby rescinds the notification of the Government of India in the Ministry of Finance (Department of Revenue and Insurance) No. 93-Customs, dated the 31st May, 1969.

[No. 63/F. No. 2/1/69-L.C.I.]

एसं० भ्रो॰ 2268.—सीमा गुल्क श्रधिनियम 1962 (1962 का 52) की धारा 4 की उपधारा (।) बारा प्रवत्त भीर इस निमित्त समर्थ बनाने वाली सभी भ्रन्य शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारत सरकार के वित्त मंत्रालय (राजस्य भीर बीमा विभाग) की भ्रधिसूचना सं० 93—सीमा गुल्क, तारीख 31 मई 1969 को एतद्वारा विखण्डित करती है।

[सं० 63/एफ० 2/1/69-एल० सी० I.]

(Central Board of Excise and Customs)

New Delhi, the 4th July 1970

S.O. 2269.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby declares Ranchi in the State of Bihar to be a warehousing station.

[No. 62/70-Customs/F. No. 3/86/69-Cus.VII.]

P. K. KAPOOR, Under Secy.

(केन्द्रीय उ:पाव शुरुक श्रीर सीमा शुरुक बोर्ड)

सीमा शुरुक

नई दिल्ली, 4 जुलाई 1970

एस० थ्रो० 2269.-सीमा शुल्क अधिनियम 1962 (1962 का 52) की धारा 9 द्वारा अदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय उत्पाद-शुल्क और सीमा-शुल्क बोर्ड बिहार राज्य में रांची को एतद्वारा भाण्डागारण स्टेशन घोषित करता है।

[सं॰ 62/70-जत्पाद-शुल्क/फा॰ सं॰ 3/86/69-जत्पाद-शुल्क VII]

पी० के० कपूर, ग्रवर सचिव ।

MINISTRY OF FOREIGN TRADE

RUBBER CONTROL

New Delhi, the 19th June 1970

S.O. 2270.—In pursuance of clause (e) of sub-section (3) of section 4 of the Rubber Act, 1947 (24 of 1947), the Central Government hereby notifies that Shri S. Kumaran, Member of Rajya Sabha, House No. 941, Thampanur, Trivandrum (Kerala), has been elected by the Rajya Sabha as a member of the Rubber Board, Kottayam, for a period of 3 years with effect from the 19th June, 1970, or for so long as he continues to be a Member of the Rajya Sabha, whichever is less.

[No. F.15(4)Plant(B)/70.]

M. L. GUPTA, Under Secy.

विवेश व्यापार मंत्रालय

रबड नियंक्षण

नई दिल्ली, 19 जून 1970

का० भा० 2270.-रबड भिधिनियम, 1947 (1947 का 24) के खण्ड 4 के उपखण्ड (3) की धारा (इ) के अनुसरण में, केन्द्रीय सरकार एतदद्वारा सृचित करती है कि राज्य सभा के सदस्य

श्री एस० कुमारन, मकान नं० 941, थम्पानूर, त्रिवेन्द्रम (केरल), 19 जून, 1970 से 3 वर्ष की श्रविध के लिए या जब तक वह राज्य सभा के सदस्य बने रहें गे, जो भी कम हो, राज्य सभा द्वारा रवड़ बोर्ड को कोदटायम के सदस्य चुने गये हैं।

[फा॰ सं॰ 15(4) प्लांट (बी)/70] एम॰ एल॰ गुप्ता, प्रवर सचिव।

MINISTRY OF PETROLEUM AND CHEMICALS AND MINES AND METALS

(Department of Mines and Metals

ERRATA

New Delhi, the 16th June 1970

S.O. 2271.—In the notification of the Government of India, in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Mines and Metals) No. S.O. 1059, dated the 24th February, 1970 published in Part II Section 3 subsection (ii) of the Gazette of India dated 21st March, 1970 at pages 1429 and 1430:—

at page 1430:

In line 25 for "Plot No. 15 7(P)" read "Plot No. 1527(P)".

In line 27 for "Bombay Description" read "Boundary Description".

[No. F. C3-1(4)/70.]

S.O. 2272.—In the notification of the Government of India in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Mines and Metals) No. S.O. 973, dated the 3rd March, 1970, published at pages 1343 and 1344 in Part II, section 3, sub-section (ii) of the Gazette of India dated the 14th March, 1970:—

at page 1343:

In lines 17 and 18, for "in the office (Revenue Section), Darbhanga House, Ranchi (Bihar)" read "in the Office of the National Coal Development Corporation Limited (Revenue Section), Darbhanga House, Ranchi (Bihar), and

at page 1344:

In line 15, for "through Plot No. 7" read "through Plot No. 87".

In line 19, for "Illage Gorbi" read "village Gorbi".

In line 20, for "illage Naurhia" read "village Naurhia".

[No. F. C3-2(1)/70.]

- S.O. 2273.—In the notification of the Government of India, in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Mines and Metals) No. S.O. 972, dated the 3rd March, 1970, published at pages 1341 and 1342 in Part II, Section 3, Sub-section (ii) of the Gazette of India dated the 14th March, 1970:
 - at page 1341:

In line 39, for "Bearing Area" read "Bearing Areas".

at pages 1342:

- (i) In line 31, for Plot No. "799(P)" read "789(P)".
- (ii) In line 40, for "meets a" read "meet at"
- (iii) In line 45 for "village Deram" read "village Dera"

[No. F. C3-2(2)/70.1

K. B. SAXENA, Under Secy.

MINISTRY OF IRRIGATION AND POWER

New Delhi, the 24th June 1970

S.O. 2274.—In exercise of the powers conferred by clause (a) of sub-section (2) of section 79 of the Punjab Reorganisation Act, 1966 (31 of 1966), the Central Government hereby appoints Shri B V. Deshmukh, Technical Member, Maharashtra State Electricity Board as a whole-time Chairman of the Bhakra Management Board vice Shri G A. Narasimha Rao, with effect from the date Shri B V. Deshmukh assumes charge as such Chairman, and makes the following further amendment in the notification of the Government of India in the Ministry of Irrigation and Power, No. S O 3506, dated the 1st October, 1967, namely.—

In the said notification, for item 1 and the entry relating thereto, the following shall be substituted, namely:—

"1. Shri B. V. Deshmukh, Technical Member, Maharashtra State Electricity Board".

[No F. 6/8/70-B & B.]
O. P CHADHA, Dy. Secy.

सिंचाई फ्रोर विद्युत मंत्राला

नई दिल्ली, 24 जून, 1970

मा० श्रा० 2274—पजाब पुनर्गठन ग्रधिनियम, 1966 (1966 का 31) की धारा 79 की उपधारा (2) के खण्ड (क) द्वारा प्रवत्त शिवतयों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा श्री बी० वी० देशमुख, तकनीकी सदस्य, महाराष्ट्र राज्य विद्युत् बोर्ड, श्री जी० ए० नरिसहराव के स्थान पर भाखाडा प्रबन्ध बार्ड के पूर्वकालिक ग्रध्यक्ष के रूप में, उस तारीख से जिस तारीख को श्री बी० वी० देशमुख ऐमें ग्रध्यक्ष के रूप में, भारताधन ग्रहण करेंगे, नियुक्त करती हैं, ग्रीर भारत सरकार के सिचाई ग्रीर विद्युन् मजालय की ग्रधिसूचना सं० का० ग्रा० 3506, तारीख 1 श्रवह्बर, 1967 में ग्रीर श्रागे निम्नलिखित संशोधन करती हैं, ग्रधीन् ——

उक्त श्रिधिसूचना मे, मद 1 और उसमे सबिधित प्रविष्टि के स्थान पर निम्निलिखित प्रति-स्थापित किया जाएगा, श्रर्थातु .—

"1. श्री बी० वी० देशमुख, तकनीकी सदस्य, महाराष्ट्र राज्य विद्युत बोर्ड "

[फा० स० 6/8/70-बी० एण्ड बी]

म्रो० पी० चड्ढा, उपतिचय।

ORDER

New Delhi, the 19th June 1970

S.O. 2275.—With a view to accommodate M/s Singareni Collieries Co Ltd., Kothagudium Collieries PO. Andhra Pradesh, requesting in their letter No Ch. E 36/748 dated the 29th April, 1968 for relaxation of sub-rules (1), (5) and (7) of Rule 123 of the Indian Electricity Rules, 1956, in respect of use of 550 ft long DC. flat flexible trailing cable, 3 cores (two power cores of 33 9 sq mm and one earth core of 21 2 sq. mm) manufactured by M/s Shamsher Sterling Cable Corporation Ltd., Kirol, Bombay-77, with Joy 9SC, 10SC9, 32E14, DC 250 volts Shuttle Car. Torkar type 48-50, DC 250 volts Shuttle Car and Goodman type 584-30 & 31, DC 250 volts Shuttle Cars, to be used in the Collieries of the Company, the Central Government have the pleasure to keep on record that the type of the cable supplied by M/s Shamsher Sterling Cable Corporation Ltd. is of robust construction and satisfactorily withstood Crush Test suggested by M/s Showa Electric Co, Japan, and portable cable flame resistance test prescribed by the US Bureau of Mines as apper test report of the Central Mining Research Station, Dhanbad.

The Central Government, therefore, in exercise of the powers conferred on them by Sub-rule (2) of Rule 133 of the Indian Electricity Rules, 1956, hereby direct that the provision of—

- (i) Sub-rule (1),
- (ii) Sub-rule (5), and
- (iii) Sub-rule (7)

of Rule 123 of the said rules shall be relaxed in respect of use of 550 ft. long unscreened flat flexible trailing cable manufactured by M/s. Shamsher Sterling Cable Corporation Ltd., Kirol, Bombay-77, in conjunction with D.C. Joy Shuttle Cars to be used underground in the Collieries of M/s. Singareni Collieries Co. Ltd. to the extent that (1) in relaxation of Sub-rule (1) of Rule 123, the cable may not have metallic covering as a means of protection from mechanical injury, (2) in relaxation of Sub-rule (5) of Rule 123, the cable may not be provided with flexible metallic screening or pliable armouring and (3) in relaxation of Sub-rule (7) of Rule 123, the length of the flexible trailing cable shall not exceed 550 feet at any time during the use of the shuttle cars and the relaxation shall be subject to the following conditions:

- 1. The flexible cable shall be attached to the electrical system and the shuttle car by means of properly constructed connector/coupler or by the special type of attachment approved by the U.S. Bureau of Mines. The attachment of the cable at the end shall be done in a manner so as to maintain the permissibility of the apparatus connected thereto for use in gassy mines.
- 2. The flexible cable in use with a shuttle car shall be handled and used with care and duly examined at least once in each shift by the competent operator of the machine. Besides, for the proper use and maintenance of the cable it shall be kept under close examination by a responsible engineer who shall examine the cable as frequently as possible so as to ascertain the condition of the cable in general.
- 3. The flexible cable shall be tested by a competent person at least once in a week to ascertain the healthy state of the continuity of the earth cores and the insulatons of the power cores. The results of such test shall be recorded duly in a register maintained and signed by the competent person and countersigned by the engineer and the manager of the mine.
- 4. In the event of damage of any part of a cable, even a superficial cut of the sheath, is noticed, the cable shall forthwith be withdrawn from use.
- 5. No damaged cable shall be deliberately kept in or brought into use without the damaged part being repaired satisfactorily by the technique employed for vulcanising such cables to the permissible extent of vulcanization. Where a damage is of such an extent that repairs by vulcanization is not admissible or likely to reduce the mechanici strength of the cable, no repair shall be carried out for the damaged part and the cable with the damaged part/parts shall not be used again.
- 6. For the purpose of repairing a damage on such cable by vulcanization, the Electrical Staff of the mine should be given the regulaite instruction and training in the technique employed for vulcanizing the special type of cable and in this regard manufacturer's instruction should be strictly adhered to.
- 7. Necessary equipment and kits for vulcanization should be procured and kept at each mine where a shuttle car will be used.
- 8. This relaxation order may be amended or withdrawn at any time, if considered necessary, in the interest of safety.

[No. EL.II.6(4)/68.7

M. RAMANATHAN, Dy. Director (Power).

ग्रावेश

नई दिल्ली, 19 जून, 1970

एस० ग्रो० 2275~-मै० सिंगरेनी कोनियरीय कं० लि०, डाक० कोठा-गुडम कोलि-यरीज, ग्रांध्र प्रदेश ने ग्रपने पत्र सं० च० ई० 36/748, दिनांक, 29 ग्रप्रैल, 1968 में जाय 9 एस० सी० 10 एस० सी० 9, 32 ई, 14, डी० सी० 250 वोल्ट घटल कार घीर गुडमैन टाइप 548-30 घीर 31, डी० सी० 250 वोल्ट घटल कारों के साथ मैं० शमग्रेर स्टिलिंग केबल कार-परिशन लि०, किरील, बम्बई द्वारा निर्मित 3 कोडो वाली (33.9 वर्ग मि० मी० के दो बिजली के कोड घीर 21.2 वर्ग मि० मी० का एक भूश्रोजक कोड) 550 फुट लम्बी, डी० सी०, चपटी सुनम्य घनुगामी तार (केबल) के प्रयोग के संबंध में भारतीय बिजली नियम, 1956 के नियम 123 के उपनिमय (1), (5) घौर (7), के शिथलीकरण की प्रार्थना की थी ताकि कम्पनी की खोयलाखानों में उनका प्रयोग हो सके। कम्पनी की इस प्रार्थना का समायोजन करने के विचार से केन्द्रीय सरकार इस बात का उल्लेख करती हैं कि मैं० शमग्रेर स्टिलिंग केबल कार्पेरिशन लि० ने जिस प्रकार की तार (केबल) सप्लाई की थी, इसकी बनावट बहुत तगड़ी हैं और वह मैं० शोवा इलेक्ट्रिक कम्पनी, जापान बवारा सुझाए गए संदलन परीक्षरा और श्रमरीकी खान व्युरो द्वारा सुवासु तार के लिये निर्धारित किये गए श्रान्न-प्रतिरोध परीक्षण में सफलतापूर्वक पूरी उत्तरी है।

श्रतः केन्द्रीय सरकार, भारतीय बिजली, नियम, 1956 के नियम 133 के उपनियम (2) द्वारा प्रदत्त श्रिष्ठकारों का प्रयोग करते हुए एतद्द्वारा निर्देश करनी है कि मैं० सिंगरेनी की- लियरीज कं० लि० की कोयलाखानों में श्रिष्ठोभूमि प्रयोग में लाये जाने के लिये डी० सी० जाय शटल कारों के साथ जोड़ कर मैं० शमशेर स्टर्लिंग केबल कार्पोरेशन लि० किरोल, बम्बई-77 द्वारा निर्मित 550 फुट लम्बी, श्रावरण हिंत, चपटी मुनम्य श्रनुगामी तार (केबल) के प्रयोग के संबंध में उक्त नियमावली के नियम 123 के श्रिष्ठनयम (1), (5) और (7) के उपबंधों का इस सीमा तक शिथिलीकरण किया जाए, कि (1), नियम 123 के उपनियम (1) के शिथिली करण में यांतिकीय चोट से बचने के एक उपाय के रूप में केबल पर धात्वक श्रावरण का होना जरुरी नहीं है; नियम 123 के उपनियम (5) के शिथिलीकरण में, केबल के साथ सुनम्य धात्विक श्रावरण श्रयवा श्रानम्य कवच का होना जरुरी नहीं है; श्रीर नियम 123 के उपनियम (7) के शिथली करण में श्रनुगामी तार (केबल) की लंबाई शटलकारों के प्रयोग के दौरान किमी भी समय 550 फुट से श्रिष्ठक नहीं होगी श्रीर यह शिथिलिकरण निम्नलिखत शर्तों पर होगा :——

- ग्रेट मुनस्य विद्युतीतारय प्रणाली श्रौर घटलकार के साथ ठीक प्रकार में निर्मित संयोजित (कनेक्टर)/पुग्मक (कपल) श्रथवा श्रमरीकी खान ब्यूरो द्वारा श्रनुर-मीदित विशेष प्रकार के संलाग (श्रटैंचमेंट) द्वारा लगाई जायेगी। सिरों पर केबल के संलाग इस प्रकार से लगाए जायेंगे जिससे गैम वाली खान में प्रयोग के लिये उससे लगे उपकरण की श्रनुमेयता को कायम रखा जा सके।
- 2. णटलकार के साथ प्रयुक्त मुनम्य तार को सावधानी से बरता जाएगा श्रीर मशीन का मक्षम चालक प्रत्येक पारी में कम से कम एक बार श्रवश्य उसकी जांच कर लेगा । इसके अतिरिक्त वह किमी जिम्मेदार इंजीनियर की निगरानी में रहेगी जो तार की यथासंभय बारम्बार जांच पड़ताल करेगा ताकि मामान्य रूप से तार की स्थित का पता लग सके।
- 3. भू-योजक कोडो की श्रौर विद्युत कोडों के विद्युतत-रोधी श्रावरणों की श्रविच्छन्नता की स्वस्थ स्थित का पता लगाने के लिये सुनम्य केंबल का सप्ताह में कम से कम एक बार सक्षम व्यक्ति द्वारा परीक्षण किया जायेगा। सक्षम व्यक्ति द्वारा रखें एक रिजस्टर में इन परिक्षणों के सही सही परिणामों का उल्लेख करकें हस्ता-क्षर किये जायेगे श्रौर खान का इंजीनियर तथा प्रबंधक उस पर प्रतिहस्ताक्षर करेगा।

- 4. तार के किसी भाग को क्षति पहुंचाने की स्थिति में, चाहे ग्रावरण में उत्तल कांट देखने में क्यों न ग्राए, तार का प्रयोग फौरन बंध कर दिया जायेगा।
- 5. इस प्रकार की तारों को वल्कनाइज करने के लिये प्रयुक्त तकनीक द्वारा क्षतिप्राप्त भागों की संतोषजनक रूप से वल्कनीकरण की धनुमेय सोमा तक मरन्मत किये बिना किसी भी क्षतिप्राप्त तार को जानवृक्ष कर नहीं रखा जाएगा ध्रथवा प्रयोग में लाया जाएगा। जहां क्षति इतनी मान्ना में हो गई है कि वल्कनाइज करके उसकी मरम्मत करना अनुमेय नहीं है अथवा जिससे तार की पांतिकीय शक्ति में कमी आ जाने की संभावना है, क्षतिप्राप्त भाग की मरम्मत नहीं की जाएगी और क्षतिप्राप्त भाग/भागों सहित तार का पुन: प्रयोग नहीं किया जाएगा।
- 6. वरूकनीकरण द्वारा इस प्रकार की केवलों के क्षितिप्राप्त भागों की मरम्मत करने के उद्देश्यों से खान के विद्युत कर्मचारियों को विशेष प्रकार की केवलों के वरूकनीकरण के लिये प्रयुक्त तकनीक के संबंध में अपेक्षित प्रशिक्षण किया जाये और इस संबंध में निर्माताओं की हिदायतों का पूरा पूरा अनुकरण किया जाए।
- वरकनाइज करने के लिये भावश्यक उपकरण और भौजार प्राप्त करके उन सभी खानों में रखो जांगें जहां शटल कारें प्रयोग में लाई जायेंगी।
- सुरक्षा के हित में, यदि भावश्यक समझा गया तो इस शिथिलीकरण का किसी भी समय संशोधन किया जा सकता है भ्रयना उसे नापस लिया जा सकता है।

[सं० वि० दो/6(4)/68]

म० रामनाथन, उप निचेशक (बिजली)।

MINISTRY OF INDUSTRIAL DEVELOPMENT, INTERNAL TRADE AND COMPANY AFFAIRS

(Department of Industrial Development)

CORRIGENDUM

New Delhi, the 16th June 1970

S.O. 2276.—In partial modification of the notification published in the Gazette of India, Part II, Section 3(ii) dated 11 April 1970 under number S.O. 1358 dated 25 March 1970, it is hereby notified that the following correction shall be made therein:

(Col. 4, Clause 6.1.2.4, Note, line four) -- Read 'Coniferous' for 'non-coniferous'.

[No. CMD/18:4.]

DR. A. N. GHOSH, Director General.

DEPARTMENT OF COMMUNICATIONS

(Posts and Telegraphs Board)

New Delhi, the 23rd June 1970

S.O. 2277.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the

Director General, Posts and Telegraphs, hereby specifies the 1st August, 1970 as the date on which the measured rate system will be introduced in Hanamkonda*-Telephone Exchange, Andhra Circle.

[No. 5-34/70-PHB.]

HARKISHEN SINGH, Assistant Director General (PHA).

संचार विभाग

(बाक-तार बोर्ब)

नई विस्ली, 23, जून 1970

एस॰ भो॰ 2277.— स्थायी भावेश कम संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गए 1951 के भारतीय तार नियमों के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाकन्तार महानिदेशक ने हनमकौण्डा टेलीफोन केन्द्र में 1-8-70 से प्रभारित दर प्रणाली लागू करने का निश्चय किया है।

मिं० 5-34/79 पी०एच• बी]

हरिकशन सिंह,

सहायक महानिदेशक (पी० एच० बी०)।

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (Department of Labour & Employment)

New Delhi, the 20th June 1970

S.O. 2278.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the Hamdard (Wakf) Laboratories, Lal Kuan, Delhi-6, in an area in which the provisions of Chapters IV and V of the said Act are in force, hereby exempts the said laboratories from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a period of one year with effect from 29th January, 1970 to 28th January, 1971.

[No. F. 6(42)/69-HI]

श्रम, रोजगार और पुनर्वास मंत्रालय

(श्रम और रोजगार विभाग)

नई दिल्ली, 20 जून, 1970

फा॰ था॰ 2278.— कर्मचारी राज्य बीमा श्रिधिनियम, 1948 (1948 का 34) की धारा 73च द्वारा प्रदेत शिक्तयों का प्रयोग करते हुए केन्द्रीय सरकार, हमदर्द (बक्फ) लेको रेटरीज, लाल कुंग्रा, दिल्ली-6 के ऐसे क्षेत्र में जिसमें उक्त श्रिधिनियम के अध्याय IV और V के उपबन्ध प्रवृत्त हैं, श्रविस्थित को ध्यान में रखते हुए उक्त लेकोरेटरीज को उक्त श्रिधिनियम के श्रध्याय V के श्रधीन उद्ग्रहणीय नियोजक के विशेष श्रिधिदाय के संदाय से 29 जनवरी, 1970 से 28 जनवरी-1971 तक एक वर्ष की कालाविध के लिये एतद्द्रारा छूट देती है।

[फ० सं० 6(42)/69-एच० भाई]

New Delhi, the 22nd June 1970

S.O. 2279.—In exercise of the powers conferred by sub-section (3) of section i of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 28th day of June, 1970 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following area in the State of Madhya Pradesh, namely:—

"Village Mahalgaon, Survey No. 1589,90 in Tehsll Gwalior, District Gwalior."

[No. F. 604(5)70-HI.]

नई दिल्ली, 22 जून, 1970

का॰ आ॰ 2279.— कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रवत्त मास्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतव्द्वारा जून, 1970 के 28वें दिन को उस तारीख के रूप में नियत करती है जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत की जा चुकी हैं) और अध्याय 5 और 6 [धारा 76 की उपधारा (1), धारा 77, 78 79, और 81 के सिवाय जो पहले ही प्रवेत्त की जा चुकी हैं] के उपबंध मध्य प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात :—

"तहसील ग्वालियर में ग्राम माहलगांव, वेंक्षण सं० 1589,90, जिला ग्वालियर"

[फा०सं० 604 (5) 70-एच० भाई]

New Delhi, the 26th June 1970

S.O. 2280.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952) and in supersession of the notifications of the Government of India in the late Ministry of Labour and Employment No. S.O. 2173 dated the 10th October, 1958, in so far as it relates to Shri K. R. Sreedharan, and S.O. 3866 dated the 20th October, 1967, the Central Government hereby appoints Shri K. R. Sreedharan to be an Inspector for the whole of the State of Mysore for the purposes of the said Act and of any Scheme framed thereunder, in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or controlled industry.

[No. 20(9)/69-PF. I.]

नई दिल्ली, 26 जून, 1970

भा० था। 2280. — कर्मचारी भविष्य निधि प्रधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत मरकार के भृतपूर्व श्रम श्रीर रोजगार मंत्रालय की श्रधिसूचना सं० का० श्रा० 2173 तारीख 10 श्रक्तूबर, 1958 को, जहां तक इसका सम्बन्ध श्री के० श्रार० श्रीधरन में है, श्रीर का० श्रा० 3866 तारीख 20 श्रक्तूबर, 1967 को श्रधिकांत करते हुए केन्द्रीय सरकार एतद्द्वारा श्री के० श्रार० श्रीधरन को उक्त श्रधिनियम श्रीर उसके श्रधीन विरिचत किसी स्कीम के प्रयोजनों के लिए केन्द्रीय सरकार के या उसके नियन्त्रणाधीन किसी स्थापन के सम्बन्ध में या किसी रेल कम्पनी, महापत्तन, खान या तेल क्षेत्र या नियन्त्रित उद्योग से सम्बन्धित किसी स्थापन के सम्बन्ध में सम्पूर्ण मैसूर राज्य के लिए निरीक्षक नियक्त करती है।

[सं० 20(9)/69- रे० एफ ा]

S.O. 2281.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952) and in supersession of the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 1830 dated the 24th May, 1957 in so far as it relates to Shri Pralay Kumar Sen, the Central Government hereby appoints Shri Pralay Kumar Sen to be an Inspector for the whole of the State of Uttar Pradesh for the purposes of the said Act and of any Scheme framed thereunder, in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry.

[No. 20(20)/69-PF, I (1).]

का॰ आ॰ 2281.—कर्मचारी भविष्य निधि प्रधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के भूतपूर्व श्रम और रीजगार मन्त्रालय की प्रधिसूचना सं० का० ग्रा० 1830, तारीख 24 मई, 1957 को, जहां तक इसका सम्बन्ध श्री प्रलय कुमार सेन से हैं, श्रिधिकांत करते हुए केन्द्रीय सरकार एतद्वारा श्री प्रलय कुमार सेन को उक्त ग्रिधिनियम और उसके ग्रधीन विरचित किसी स्कीम के प्रयोजनों के लिए केन्द्रीय सरकार के या उसके नियन्त्रणाधीन स्थापन के सम्बन्ध में या किसी रेल कम्पनी, महापत्तन, खान या तेल क्षेत्र या नियन्त्रित उद्योग से सम्बन्धित स्थापन के सम्बन्ध में संपूर्ण उत्तर प्रदेश राज्य के लिए निरीक्षक नियक्त करती है।

[सं॰ 20(20)/69-पी॰ एफ॰ I(i)]

S.O. 2282.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952) and in supersession of the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 522 dated the 26th February, 1959, the Central Government hereby appoints Shri S. N. Verma to be an Inspector for the whole of the State of Uttar Pradesh for the purposes of the said Act and of any Scheme framed thereunder, in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry.

[No. 20(20)/69-PF, I (ii).]

B. K. SAKSENA, Under Secy.

का० आ० 2282.— कर्मं वारी भविष्य निधि प्रधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के भूतपूर्व श्रम और रोजगार मन्द्रालय की प्रधिसूचना सं० 522 तारीख 26 फरवरी, 1959 को प्रधिकांत करते हुए केन्द्रीय सरकार एतव्द्वारा श्री एस० एन० वर्मा को उक्त प्रधिनियम और उसके प्रधीन विरचित किसी स्कीम के प्रयोजनों के लिए केन्द्रीय सरकार के या उसके नियन्त्रणाधीन स्थापन के सम्बध में या किसी रेल कम्पनी, महापत्तन, खान या तेल क्षेत्र या नियन्त्रित उद्योग से सम्बन्धित स्थापन के सम्बन्ध में सम्पूर्ण उत्तर प्रदेश राज्य के लिए निरीक्षक नियक्त करती है।

[सं॰ 20(20)/69/पी॰ एफ॰ I(ii)]
बी॰ के॰ सक्सैना, प्रवर सनिव।

(Department of Labour and Employment)

New Delhi, the 22nd June 1970

S.O. 2283.—Whereas by the Notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 4896 dated the 2nd December, 1969, the Central Government, being satisfied that the public interest so required, had declared the industry for the supply of milk under the Delhi Milk Scheme to be a public utility service for the purposes of the Industrial Disputes Act, 1947 (14 of 1947), for a period of six months from the 22nd December, 1969;

And whereas the Central Government is of opinion that public interest requires the extension of the said period;

Now, therefore, in exercise of the powers conferred by the proviso t_0 subclause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a further period of six months from the 22nd June, 1970.

[No. 1/35/70-LR-I]

(श्रम ग्र.र रोजगार विभाग) नई दिल्ली 22जून, 1970

का० आ० 2283 — यतः केन्द्रीय सरकार ने, क्षेष्ठ समाधान हो जाने पर कि लोक हित में ऐसा अपेक्षित था, भारत सरकार के श्रम, रोजगार और पुनर्वाम मंद्रालय (श्रम और रोजगार विभाग) की ग्रिध — सूचना सं० का० आ० 4896 तारीख 2 दिसम्बर, 1969 द्वारा दिल्ली दुग्ध स्कीम के श्रधीन दुग्ध के प्रदाय के लिए उद्योग को औद्योगिक विवाद श्रधिनियम, 1947 (1947 का 14) के प्रयोजनों के लिए 22 दिसम्बर, 1969 से छः मास की कालावधि के लिए लोक उपयोगी मेवा घोषित किया था।

श्रीर यत: केन्द्रीय सरकार की राय है कि लोक हित में उक्त कालावधि को बढ़ाया जाना अपेक्षित है ;

श्रतः, श्रव, श्रौद्यौगिक विवाद श्रधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ढ) के उपखण्ड (vi) के परन्तुक द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एसद्द्वारा उक्त उद्योग को उक्त श्रधिनियम के प्रयोजनों के लिए 22 जून, 1970 से छ: मास की श्रीर कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[सं 1/35/70-एल० म्नार०]

8.0. 2284.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Chandigarh in the industrial dispute between the employers in relation to the Beas Dam Project and their workmen, which was received by the Central Government on the 19th June, 1970.

BEFORE SHRI P. P. R. SAWHNY, B.A. (Hons.) CANTAB BAR-AT-LAW, PRESID-ING OFFICER, INDUSTRIAL TRIBUNAL, PUNJAB, CHANDIGARH.

REFERENCE No. 9/C of 1969

BETWEEN

The workmen and the management of Beas Dam Project, Talwara.

APPEARANCES:

G. C. Bhalla for the workmen with Shri Gopi Chand Rana concerned workman

Shri Kuldip Singh for the respondent management.

AWARD

An industrial dispute having arisen between the employers in relation to the Beas Dam Project and their workmen in respect of the matter specified below, the Central Government referred the same to this Tribunal for adjudication vide Ministry of Labour, Employment and Rehabilitation (Department of Labour, and Employment) Notification No. 4/22/69/LR III, dated 13th November, 1969:—

"Whether the management of the Beas Dam Project, Talwara was justified in dismissing Shri Gopi Chand Rana from service with effect from the 23rd June, 1966? If not, what relief is the workman entitled?

2. Notices were issued to the parties. The workman put in the statement of claim and the respondent management in their written statement to which the workman gave his replication.

- 3. In the statement of claim it has been maintained by the concerned workman, Shri Gopi Chand Rana, that after a sham enquiry where he had not been given an opportunity to cross-examine the witnesses, and where the proceedings were not correctly recorded, and he had not been provided with an opportunity to aexmine any witnesses in defence, he had been dismissed from service with effect from 23rd June, 1966.
 - and that his dispute of dismissal was referred by the Punjab Government to the Labour Court. Jullundur which gave an award dated 24th June, 1967 ordering his reinstatement with full back wages which award was set aside on the preliminary objection that after Re-organisation on 1st November, 1966 the Punjab State Government was not the appropriate Government for referring the dispute.

He has demanded reinstatement with full back wages and the other benefits accruing to him.

- 4. In the written statement it has been denied by the management that the enquiry held against Shri Gopl Chand was not fair or unjust or that he was not provided with an opportunity to lead evidence in defence or to cross-examine the witnesses of the management, that the domestic enquiry against the concerned workman was conducted strictly according to the rules of natural justice, that the award of the Labour Court, Juliundur had been declared to be without judisdiction by the High Court, that his offence was of a serious nature in as much as theft had been committed by the concerned workman, and that they were justified in terminating the services of the concerned workman.
- 5. In the replication put in by the workman the position taken by him in the statement of claim was generally reiterated and the stand taken by the respondent management in the written statement was refuted.
- 6. On the pleadings of the parties the term of reference was framed as the only issue, which reads as under:—

"Whether the management of the Beas Dam Project, Talwara was justified in dismissing Shri Gopi Chand Rana from service with effect from the 23rd June, 1966? If not, to what relief is the workman entitled?"

The respondent management have examined four witnesses Sarvshri Bahadur Singh, Sub Divisional Officer of Power House, Talwara who was appointed as Enquiry officer and held enquiry against Shri Gopi Chand; A. P. Chaudhry. Personnel Officer of Beas Dam who has not deposed to any thing material from his personal knowledge; Jyoti Prakash, Police constable and Amar Nath, A.S.I. Security Staff personal who claim they searched Shri Gopi Chand and recovered 2 brass values and a rod weighing 6 killos 665 grams from a thella.

The concerned workman has besides himself examined as witness Shri Jamyat Singh, a Foreman of Compresser factory where the concerned worker who has supported the version of the concerned workman that 2 brass valves or rod were not recovered from the concerned as alleged by the respondent management.

The first point that may be considered is whether there has been a fair and just domestic enquiry in consonance with the established rules of natural justice, and whether on the report of the enquiry officer the management was justified in terminating the services of Shri Gopi Chand.

From the copy of the award, Ext. A/3, it is to be found that the Labour Court which was seized of this very dispute, had come to the conclusion that the domestic enquiry was neither fair nor proper nor was it in conformity with the principles of natural justice, and ordered the reinstatement of the workman with full back wages. The management have maintained that since the Award was quashed by High Court, it was a nullity. The award of course no longer holds good on technical grounds as when it was challanged in a writ petition by the respondent management it was set aside on the ground that on account of Re-organisation of the Punjab State on 1st November, 1966 the Central Government was the appropriate Government, and not the Punjab Government to refer the dispute.

In the statement of claim the concerned workman, has maintained that the enquiry was sham and violative of the principles of natural justice, but he has not said so specifically when he appeared as a witness, and has only stated that he had asked the enquiry officer in writing for Jamyat Singh to be called as his witness in defence but he was not called.

No deubt Shri Bahadur Singh, S.D.O. who held the enquiry against Shri Gopi Chand claims that the enquiry was fair and had been conducted according to the principles of natural justice, and that he had provided Shri Gopi Chand with an opportunity to cross-examine the witnesses of the management but he has not mentioned a word whether Shri Gopi Chand was provided with an opportunity to produce evidence in defence.

It is noteworthy that Shri Bahadur Singh is the officer who served the show cause notice on Shri Gopi Chand, as to why his services should not be terminated and he was the officer who held the enquiry which is against cannons of natural justice in as much as an accuser cannot be the judge of his own cause, Shri Bahadur Singh under such circumstances could hardly be considered to be an impartial and un-prejudiced person.

Besides as per observations of the Supreme Court in A.I.R. 1958, Supreme Court 300, reproduced hereunder and followed by Mr. Justice Tull in C. writ No. 520 of 1967, the show cause notice served upon Shri Gopl Chand by Shri Bahadur Singh as to why his services should not be terminated is invalid and bad in the eyes of law. In A.I.R. 1953 Supreme Court-300 their Lordships of the Supreme Court had observed:—

"This procedure also has a merit of giving some assurance to the officer concerned that the competent authority maintains as open mind with regard to him. If the competent authority were to determine, before the charges were proved, that a particular punishment would be meted out to the Government servant concerned, the later may well feel that the competent suthority had formed an opinion against him, generally on the subject-matter of the charge or, at any rate, as regards the punishment itself. Considered from this aspect also the construction adopted by us appears to be consonant with the fundamental principle of Jurisprudence that justice must not only be done but also be seen to have been done."

Even if all this were to be ignored, otherwise also from the material placed on record there is, nothing to show that Shri Gopi Chand had committed any act which may constitute as misconduct entailing his dismissal from service.

It is alleged by management that from the search of Shri Gopi Chand, 2 brass valves and a rod were recovered. It has been admitted by management's witnesses that these articles had no special markings to show that they were the property of respondent management and no shortage from stores had been reported. The A.S.I., Shri Amar Nath after sending the recovered articles to Chief Engineer did not care to find out if they belonged to them. In the absence of the identity of the articles having been established as those of respondent management, how could any guilt or misconduct be attributed to Shri Gopi Chand?

Besides no report of theft was lodged with police and if the recovered articles were stolen property why Shri Gopi Chand was not challaned as that would have been the natural and appropriate step and in that way if a conviction had resulted. Shri Gopi Chand's services could have been terminated for being guilty of misconduct of proved theft.

There is also a very material contradiction in the statement of the only 2 witnesses as to recovery of the articles i.e. Shri Jyoti Prakash, police constable and Shri Amar Nath, A.S.I., the former has stated none else was present at that time while the latter has stated that a large number of persons were present but he could not give their names.

Again when A.S.I. Shri Amar Nath admits that respondent management had not sent any intimation to him about Shri Gopi Chand being in possession of any articles, how he should have thought of searching him? Shri Amer Nath claims that he got information from an informer whose statement was not even recorded by him but he has even declined to disclose his identity which makes this version highly suspicious.

For the various reasons enumerated above it is held that the management was not justified in terminating the services of Shri Gopi Chand Rana and he is entitled to be reinstated with full back wages.

P. P. R. SAWHNY,
Presiding Officer,
Industrial Tribunal (Central) Punjab, Chandigarh[No. 4/22/69/LRIII.]

New Delhi, the 26th June 1970

S.O. 2285.—Whereas by the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 31, dated the 23rd December, 1969, the Central Government had declared the coal industry to be a public utility service for the purposes of the Industrial Disputes Act, 1947 (14 of 1947), for a further period of six months from the 8th January, 1970;

And, whereas the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the provise to subclause (vi) of the clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a further period of six months from the 8th July, 1970.

[No. F. 1/39/70-LRI.]

नई दिल्ली, 26 जून 1970

का० था० 2285.—यतः केन्द्रीय सरकार ने, भारत सरकार के श्रम, रोजगार भौर पुनर्वास मंद्रालय (श्रम भौर रोजगार विभाग) की श्रधिसूचना सं० का० श्रा० 31 तारीख 23 विसम्बर, 1969 द्वारा कोयला उद्योग के भौद्योगिक विवाद श्रिष्ठिनियम, 1947 (1947 का 14) के प्रयोजनों के लिए 8 जनवरी, 1970 से छः मास की भौर कालाविधि. के लिए लोक उपयोगी सेवा घोषित किया था।

प्रीर यतः केन्द्रीय सरकार की राय है कि लोक हित में उक्त कालावधि उका छः मास की प्रीर कालावधि के लिए बढाया जाना अपेक्षित है ।

धतः, भव, श्रौद्योगिक विवाद मिश्विनियम, 1947 (1947 का 14) की धारा 2 के खंड (ढ) के उपखण्ड (VI) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उक्त उद्योग को उक्त प्रधिनियम के प्रयोजनों के लिए 8 जुलाई, 1970 से छः मास की भौर कालाविध के सिए लोक उपयोगी सेवा घोषित करती हैं।

[सं०[फ॰ 1/39/70-एल॰ ग्रार॰ I]

ORDER

New Delhi, the 18th June 1970

S.O. 2286.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Mercantile Bank Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

BCHEDULE

Whether the action of the management of the Mercantile Bank Limited, Calcutta in not paying the special allowance, prescribed for a driver, by the Settlement dated the 19th October, 1966 arrived at between the bank management and their workmen to Shri Raj Kumar Pandey driver of the Motor Driven Bi-cycle driven by him for doing his bank duties, is justified? If not, to what relief is he entitled and from when?

[No. 23/15/70-LR-III.] S. S. SAHASRANAMAN, Under Secy.

स्रावेश

नई दिल्ली, 18 जून 1970

फा॰ भा॰ 228 6.—यतः किन्द्रीय सरकार की राय है कि इससे उपावद श्रनुसूची में विनिर्विष्ट विषय के बारे में मर्केण्टाइल, बैंक लिमिटेड से संबद्ध नियोजकों श्रीर कर्मकारों के बीच एक श्रौद्योगिक विवाद विद्यमान है ;

श्रीर यतः केन्द्रीय सरकार उक्त विवाद को न्याय निर्णयन के लिए निर्देशित करना वांछनीय समझती है ।

ग्रतः श्रव भौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रवत्त गक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उक्त विवाद को उक्त श्रिधिनियम की धारा 7 क के श्रधीन गठित श्रीद्योगिक श्रिधकरण, कलकत्ता को न्यायनिर्णयन के लिए निर्देशित करती है।

प्रमुस्ची

क्या मर्केण्टाइल बैंक लिमिटेड, कलकता के प्रबंधतंत्र की श्री राज कुमार पाण्डेय, मोटर चालित बाइसिकिल के चालक को धपने बैंक कर्तथ्यों के निर्वहन के लिए उसके द्वारा चलाई जाने वाली उस वाइसिकिल के लिए उस विशेष भत्ते का संवाय न करना, जो बैंक प्रबंधतंत्र श्रीर उसके कर्मकारों के बीच हुए तारीख 19 श्रक्तूबर, 1966 के ठहराव द्वारा चालक के लिए विहित किया गया था, न्यायोजित है। यदि महीं तो वह किसी श्रमुतोष का श्रीर कब से हकदार है ?

[सं 23/15/70-एल॰ म्रार०-III]

एस० एस० सहस्त्रनामन, भवर सचिव।

(Department of Labour and Employment)

New Delhi, the 23rd June 1970

SO. 2287.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Bombay Port Trust, Bombay and their workmen, which was received by the Central Government on the 19th June, 1970.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

REFERENCE No. CGIT-2/21 of 1968

Employers in relation to the Bombay Port Trust, Bombay

AND

Their workmen

PRESENT:

Shri N. K. Vani, Presiding Officer.

APPEARANCES:

For the employers—Shri R. K. Shetty, Dy. Legal Adviser, Bombay Port Trust, Bombay.

For the workmen—Shri S. K. Shetye, General Secretary, Bombay Port Trust Employees' Union, Bombay.

INDUSTRY: Ports and Docks STATE: Maharashtra.

Bombay, dated the 8th June, 1970

AWARD

By Order No. 28(67)/66-LRIV dated 17th September, 1966, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) in exercise of the powers conferred by clause (d) of subsection (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), referred to the Central Government Industrial Tribunal, Bombay, for adjudication an industrial dispute existing between the employers in relation to Bombay Port Trust and their workmen in respect of the matter specified in the schedule mentioned below:—

BCHEDULE

- "Whether the demand that the extra payment of Rs. 8/- per month allowed with effect from the 25th September, 1965 to Hydraulic Wharf Crane Drivers of Prince's Victoria Docks for tightening of crane glands should be treated as part of their basic pay for purposes of Provident Fund, Leave Salary, service allowances and overtime under the Bombay Port Trust Rules, is justified?"
- 2. Later on this reference was transferred to this Tribunal No. 2 for adjudication under Order No. 22/8/68-LR-III dated 25th November, 1968.
 - 3. The facts giving rise to this reference are as follows:-
- 4. In order to understand the facts of this reference it is necessary to refer to Trustee's Resolution No. 992 at Ex. 2/E. This Resolution is as follows:—
 - "Excerpt from the Proceedings of a Meeting of the Trustees of the Port of Bombay, held on the 26th October, 1965.
 - 25. Hydraulic Crane Drivers, Prince's & Victoria Docks—Tightening of crane blands—Grant of allowance.
 - General Manager's note dated 14th October 1965, as follows:-
 - Until recently, the Crane Drivers of Hydraulic Establishment at Prince's & Victoria Docks had refused to nip up the ram glands of hydraulic cranes. The job consists of a slight adjustment, and is required to be done, to prevent leakage of crane glands, once in a day or once in a shift. Since 1962, the Crane Drivers of the Hydraulic Establishment have been refusing to attend to this work on the ground that it is not a part of their normal duties. Their contention is that the work should be done by the Fitters of the Hydraulic Establishment. Prior to the replacement of the hydraulic cranes by the electric cranes in Alexandra Dock, the work of tightening of glands of the hydraulic cranes in that Dock was attended to by the Hydraulic Crane Drivers.
 - 2. It is not practicable to get the work done by the Fitters, as contended by the Hydraulic Crane Drivers of Prince's & Victoria Docks, nor, as far as can be ascertained, have the Fitters done the work previously. The work is required to be done preferably before the commencement of the shift, and, if Fitters are to be employed to attend to this work, a large number of Fitters will be required between 7 A.M. and 8 A.M. with no work after the commencement of the shift. Another difficulty is that there will be interruptions of the crane operations, if it becomes necessary, as it sometimes does, to tighten glands after the cranes have started operation. The Crane Drivers are called to work at 7 A.M. every day, although their normal working hours commence from 8 A.M., on payment of 1 hour's overtime. This is done mainly to enable them to take orders of posting on the requisitions for cranes. to oil the crane pulleys, tighten the glands and see that the crane is otherwise in working order by the time the shift starts at 8 A.M. The work could, therefore, best be done by the Crane Drivers themselves, and not by any other category of employees.
 - 3. The continued refusal by the Crane Drivers to tighten the gland packings had, affected the working of the Prince's & Victoria Docks. There have been constant complaints about this from the shipping interests and also from the Port Working Committee. Several discussions were, therefore, held with the Bombay Port Trust Employees' Union. which represent the Crane Drivers.

- 4 On the basis that the work of tightening of gland packings is a part of the normal duties of Hydraulic Crane Drivers, they should carry out the job without any claim for additional remuneration. With a view, however, to settling this long standing dispute, the continuance of which had seriously affected working of the cranes, it has been decided that the Crane Drivers should be paid an allowance of Rs. 8 per mensem from the date they resume their work. The Bombay Port Trust Employees' Union have accepted this arrangement.
- 5 The sanction of the Board is accordingly requested to an allowance of Rs. 8 per mensem being paid to each Hydraulic Crane Driver of Prince's & Victoria Docks Hydraulic Establishment from 25th September, 1965, the date on which they resumed tightening of the crane glands."
- 5. The Bombay Port Trust Employees' Union, Bombay raised the demand that extra payment of Rs 8/- per month to the Hydraulic Crane Drivers of Prince's and Victoria Docks for the work of tightening of crane glands, should be treated as a pay and not as special allowance, and as it threatened to resort to direct action if the demand was not conceded, the Assistant Secretary, Bombay Port Trust sent a letter dated 28th March, 1966 to the Regional Labour Commissioner (C), Bombay requesting him to intervene in the matter between the Bombay Port Trust and the Bombay Port Trust Employees' Union, Bombay.
- 6. The Regional Labour Commissioner (C), Bombay heard both the parties and tried to bring about conciliation but in vain. He, therefore, submitted his fallure of conciliation report to the Government of India. The Government thereafter referred this dispute to the Tribunal for adjudication.
- 7. On receipt of the reference, notices were issued to the parties, but they took adjournment from time to time for filing written statement.
- 8. On 27th January, 1970, Shri R. K. Shetty, Dy Legal Adviser has sent a letter (Ex 1/E). It is as follows:—
 - "With reference to your Lordship's notice No. CGIT-2/21/68/18/70 dated 2nd January, 1960, I am directed to submit that although the order of reference in the above-mentioned dispute was made by the Government of India on 17th September 1966, some 3 years and 4 months ago, the Union has not so far filed its written statement of claim before this Hon'ble Industrial Tribunal. In the respectful submissions of the employers, it is clear that neither the workmen nor the Union are serious about the demand made by them. Had it been otherwise they would have filed their written statement of claim and prosecuted the dispute further.
 - 2. In the respectful submissions of the employers the demand herein is totally unjustified and is, therefore, liable to be rejected. The employers, therefore, pray that your Lordship be pleased to make an award rejecting the demand of the Union herein when the dispute comes up for hearing on 28th January, 1970.
 - 3. The employers further submit that if the Union does not file the statement of claim, this letter may please be treated as the written statement of the employers.
 - 4 A copy of this letter is being forwarded to the General Secretary, B.P.T. Employees' Union, Bombay, from his information."
- 9. On 28th January, 1970, Shri R. K. Shetty, Dy. Legal Adviser and Shri S. K. Shetye, General Secretary of the Bombay Port Trust Employees' Union, requested the Tribunal to adjourn the hearing for settling the matter. Hence the hearing of the reference was adjourned to 25th February, 1970 at 11-30 A.M.
- 10. On 25th February, 1970, both the parties again prayed for time for negotiating the matter. The reference was therefore, fixed for hearing on 21st March, 1970 On that day the reference could not be heard and the same was adjourned to 28th March, 1970.
- 11. On 28th March, 1970, Shri S. K. Shetty, General Secretary of the Union has sent a letter at Ex. 3/W to this Tribunal. The same is as follows:—
 - "It is the respectful submission of the Union that the claim of the Union for the revision of pay-scale of the category of Crane Drivers was referred to the Central Wage Board for Port & Dock Workers of India by

the Central Government. Now we learn that the Government of India has included the category of crane driver in the list of anomolies and has directed the port authorities to settle the dispute regarding proper revision of pay-scale of category of crane driver including the revision of allowances etc. The Union is carrying out negotiations with the Port Authorities in order to reach an amicable settlement. The Union's claim before the Wage Board and now before the Port Authorities is a wider issue, which covers the claim in the present dispute before your Honourable Tribunal. As such it is an humble suggestion of the Union that pending final decision by the Port Authorities over the wider issue i.e. revision of pay-scale in order to remove anomaly, the hearing of the present reference may be stayed.

- The Union further prays that the Union may be given two weeks' time for filing the written statement of its claims in this regard. The delay in filing the written statement which was for reasons stated above is deeply regretted.
- 3. A copy of this letter is being forwarded to the Dy. Legal Adviser of the Bombay Port Trust for his information."
- 12. On 8th June, 1970, Shri S. K. Shetty, General Secretary of the Union and Shri R. K. Shetty, Dy. Legal Adviser of the Bombay Port Trust personally appeared before me and filed pursis at Ex. 5/EW along with settlement Ex. 4/EW requesting that an award be made in terms of the settlement dated 8th June, 1970.
- 13. It is common ground that the Central Wage Board for Port and Dock Workers was appointed by the Central Government. The Central Wage Board for Port and Dock Workers has recommended pay scales for various categories. The pay scales for Wharf Crane Drivers are also recommended by the Central Wage Board for Port and Dock Workers. It appears that there are anomalies in the pay scales recommended for the Wharf Crane Drivers of the Bombay Port Trust. These anomalies will be discussed informally between the Bombay Port Trust and the Bombay Port Trust Employees Union. It also appears that if no settlement is reached as a result of mutual discussions and if the issue remains unresolved, it will be referred to the Government of India, which would then consider the question of setting up a suitable bi-partite or tri-partite machinery for dealing with the issue of alleged anomaly.
- 14. On reading the settlement Ex. 4/EW and the Union's letter at Ex. 3/W referred to above, it appears to me that the Union's claim before the Wage Board and now before the Port Trust authorities is wider enough to include the dispute as to whether the extra payment of Rs. 8/- per month allowed with effect from the 25th September, 1965 to Hydraulic Wharf Crane Drivers of Prince's and Victoria Docks for tightening of crane glands should be treated as part of their basic pay for the purposes of Provident Fund, Leave salary service allowances and overtime under the Bombay Port Trust Rules.
- 15. As wider issue regarding removing anomalies in the pay scales (revision of pay scales including allowances) recommended by the Wage Board for Wharf Crane Drivers of the Bombay Port Trust is pending for consideration, it is not desirable that the narrow issue involved in this reference should be decided by this Tribunal. Settlement Ex. 4/EW appears to be fair and reasonable. I, therefore, accept the same.
- 16. Ends of justice will meet, if an award is passed declaring that the decision in respect of wider issue would be binding on both the parties in respect of the present dispute also.
 - 17. In the end I pass the following order:-

ORDER

(i) It is hereby declared that the final decision regarding removal of anomalies in the pay scales (revision of pay scales including allowances) recommended by the Wage Board for Wharf Crane Drivers of the Bombay Port Trust would be binding on the parties in respect of the present dispute whether the extra payment of Rs. 8/- per month allowed with effect from 25th September, 1965 to Hydraulic Wharf Crane Drivers of Prince's and Victoria Docks for tightening of crane glands should be treated as part of their basic pay for the purposes of Provident Fund, Leave salary service allowances and overtime under the Bombay Port Trust Rules also.

- (ii) Ex. 4/EW is to form part of this Award.
- (iii) Award is made accordingly.
- (iv) No order as to costs.

(Sd.) N. K. VANI, Presiding Officer.

Dated 8th June, 1970.

BOMBAY PORT TRUST

[No. 68-IT(2/15)/2318.]

8th June 1970

From

The Legal Adviser, Bombay Port Trust, "Vijay Deep", Shoorji Vallabhdas Marg, Fort, Bombay-1.

To

Hon'ble Shri N. K. Vani, Central Government Industrial Tribunal No. 2, City Ice Building, 298, Bazargate Street, Bombay-1.

Sir.

SUBJECT.—CGIT-2/21 of 1968—Bombay Port Trust

With reference to the above dispute, parties beg to submit as under:-

- 2. The labour members on the Central Wage Board for Port & Dock Workers alleged, inter alia, that the pay scale recommended by the Wage Board for the Wharf Crane Drivers of the Bombay Port Trust is anomalous. In terms of the Government of India, Ministry of Labour, Employment and Rehabilitation, Resolution No. WB-21(7)/69 dated 28th March, 1970 on the final report of the Central Wage Board for Port & Dock Workers, the alleged anomaly in the pay scale recommended for the Wharf Crane Drivers of the Bombay Port Trust will in the first instance be discussed informally between the Bombay Port Trust and the B.P.T. Employees' Union. If no settlement is reached as a result of the mutual discussions and the issue remains unresolved, it will be referred to the Government of India, which would then consider the question of setting up a suitable bi-partite or tri-partite machinery for dealing with the issue of alleged anomaly.
- 3. In view of the above, the parties submit that an Award be made by the Hon'ble Tribunal in the above-mentioned Reference, in terms of this application and the said Reference disposed of accordingly.

Bombay, dated this 8th day of June, 1979.

(Sd.) R. K. SHETTY, Dy. Legal Advisor, Bombay Port Trust. (Sd.) S. K. Shetye, General Secretary, B.P.T. Employees' Union, Bombay.

[No. 28/67/66-IRIV/P&D.]

S.O. 2288.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to Messrs Santos Chandra Banerjee and Sons Private Limited and their workmen, which was received by the Central Government on the 19th June, 1970.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 75 of 1969

PARTIES:

Employers in relation to Messrs Santos Chandra Banerjee and Sons Private Limited,

And

Their workmen.

PRESENT:

Mr. B. N. Banerice -- Presiding Officer.

APPEARANCES:

On behalf of Employers,—Sri Kedar Nath Banerjee, with Sri Prateek Banerjee.

On behalf of Employees.—Sri M. A. Qurashi, Organising Secretary, Calcutta Dock Workers Co-ordination Committee.

STATES West Bengal.

INLUSTRY: Port and Dock.

AWARD

By Order No. 28/83/68-LR. III, dated December 12, 1968, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred the following industrial dispute between the employers in relation to Messrs Santos Chandra Banerjee and Sons Private Limited and their workmen, to this Tribunal, for adjudication, namely:

"(a) Whether the action of the management of Messis Santos Chandra Banerjee and Sons (Private) Limited Stevedores and Ship-Chandlers, 7. Swallow Lane, Calcutta-1, in retrenching the following 8 (eight) workmen from the dates shown against them was legal and justified:—

(1) Shri Sadananda Dey, Supervisor	1-12-67
(2) Shri Narayan Prosad Goswami, Supervisor	1-2-68
(3) Shri Nishapati Bhattacherjee, Supervisor	1-2-68
(4) Shri Manmatha Nath Dey, Clerk	1-12-67
(5) Shri Kumaresh Ch. Bose, Clerk	1-2-68
(6) Shri Prolahad Ch. Roy, Clerk	1-2-68
(7) Shri Sankar Narayan Mondal, Clerk	1-2-68
(8) Shri Radhavallav Chatterjee, Clerk	1-2-68

- (b) If not, to what relief are the workmen entitled?"
- 2. Of the workmen named above, Narayan Prosad Goswami, Supervisor and Sankar Narayan Mondal, Clerk, have both filed separate proceedings before the High Court at Calcutta, claiming relief against retrenchment. They appeared before this Tribunal and stated that they did not desire to proceed with the reference. Since the two workmen are not interested in getting relief from this Tribunal, as expressly stated by them, I need not proceed to make any award in respect of said two workmen. I am thus left with only 6 (six) workmen and not 8 (eight) as in the order of reference.
- 3. The workmen represented by Joint Secretary of Calcutta Dock Workers Coordination Committee filed a written statement. The case made by the workmen in the aforesaid written statement may be summarised as hereinafter stated. Sadananda Dey and Nishapati Bhattacherjee were employed under Messrs Santos Chandra Banerjee and Sons Private Limited in the category of supervisors. Manmatha Nath Dey, Kumaresh Ch. Bose, Prolahad Ch. Roy and Radhavallav Chatterjee were employed, under the same employer, under the designation of clerks. Out of the abovenamed workmen Sadananda Dey and Manmatha Nath Dey were retrenched, without just cause, on December 1, 1967 and the remaining workmen named above were all similarly retrenched on February 1, 1968. In effecting the retrenchment, it was pleaded, the rule of "last come first go" was not observed and the employers did not even pay retrenchment compensation payable

to the retrenched workmen under the law. It was further pleaded that the retrenchment was not bona fide, because after retrenchment of the senior workmen, juniors were promoted to senior posts and five new hands were appointed. It was also pleaded that some of the retrenched workmen were casually re-employed on "no-work no pay" basis. On the case, as pleaded above, the workmen claimed reinstatement and full wages and full benefits for the period of forced unemployment.

- 4. The management sought to meet the claim of the workmen on the following lines. The retrenched workmen were all employed exclusively in shipping lines known as 'Brockle bank line' and 'Calbas line'. After 1964, the business of the employers with the above two shipping lines totally ceased and such cessation necessitated the retrenchment of the workmen included in the order of reference. "Nevertheless", it was pleaded, "the company retained them for about 3 years after its said stoppage of work before retrenching them." In paragraph 4 of the written statement, it was further pleaded:
 - " *** the company had no other alternative but to retrench these workers by force of events and under compulsion of circumstances as stated hereinbefore."

In paragraph 11 of the written statement, the employer company contended:

as the need for the entire body of these eight workmen ceased to exist with the total stoppage of the company's work with the two Shipping lines as hereinbefore stated and as these workmen were needed to do the work exclusively on these two lines, no question of observance of the principle "last come first go" arises in this case."

In respect of the claim of the workmen for retrenchment compensation, it was pleaded, the subject matter was still under negotiation between the employer company and trade union of the workmen and the raising of the dispute in spite of that was mala fide and not genuine.

- 5. It need be noted that although the appointments of new hands after retrenchment was denied, the employer company did not deny the employment of casual workmen.
- 6. There is no dispute that the workmen, named in the order of reference, all put in service under the employer company for considerable years.
- 7. The management did not examine any witness to prove the contention that the workmen, named in the order of reference, were all exclusively employed in connection with work in "Brockle Bank Line" and "Calbas Line". On the other hand, Nishapati Bhattacherjee, one of the concerned workmen, deposed as follows:
 - "** I used to work as Supervisor in Brockle Bank Line and Bank Line Steamships. If there was no work in the above mentioned two lines, my services were requisitioned for work on Chartered vessels.

He was cross-examined on the point and gave the following answer:

"When I was retrenched the company had lost work in Brockle bank lines. At that time the company had and still has the work of Bank line".

Manmatha Nath Dey, witness No. 4 for the workmen, stated in course of his cross-examination:

"Apart from Brockle Bank line, I have worked in Bank line and also elsewhere as and when required."

I have no reason to disbelieve these two witnesses. I have therefore to hold that the case made by the employer company, namely, that because of loss of business in Brockle bank and Calbas lines, they had to retrench the entire cell of workmen reserved for the aforesaid two lines, has not been made out. Also has not been made out the consequential contention that because the entirety of a separate cell of workmen was retrenched, there was no scope for application of the "last come first go" rule. On the evidence I hold that there was no separate cell of workmen reserved for Brockle bank and Calbas lines. The services of the workmen, named in the order of reference, used to be utilised in Brockle bank line, Calbas Line, Bank Line and also elsewhere. Therefore, they formed part of the veneral body of workmen, and their services were utilised in different shipping lines, with whom the management did business. That being so, before retrenching the workmen, named in the order of reference, it was imperative that the rule "first come last go" would have to be observed. This was not done as was, to all intents and purposes, admitted in paragraph 11 of the written statement filed by the management. That makes the order of retrenchment bad and liable to be set-aside.

- 8. Mr. Kedar Banerjee, who appeared for the management, raised the point, in course of his argument, that Supervisors, Sadananda Dey and Nishapati Bhattacherjee, were not workmen within the meaning of Section 2(s) of the Industrial Disputes Act, 1947. What he meant to argue was that the expression 'workman' did not include any such person—
 - (1) ***
 - (ii) ***
 - (iii) ***
 - (iv) who, being employed in a supervisory capacity, draws wages exceeding five hundred rupees per mensem or exercises, either by the nature of the duties attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature."

He invited my attention to the evidence of Nishapati Bhattacherjee, who admitted:

"At the time when I was retrenched, my basic salary was Rs. 397 and my total wages were Rs. 547."

He also read to me the following portion from the evidence of Sadananda Dey:

"At the time when I was retrenched my basic wages were Rs. 400. Inclusive of dearness allowance my total wages came to Rs. 531-80."

He submitted that this tribunal should not give any relief to Nishapati Bhattacherjee and Sadananda Dey because they did not fail within the ambit of the definition of workman. I am not impressed by this argument. Two disqualifications are necessary in order to disqualify a person out of the category of workman, namely, he must be employed in supervisory capacity and he must draw wages exceeding Rs. 500 per mensem. There is no dispute that Nishapati Bhattacherjee and Sadananda Dey were both drawing wages exceeding Rs. 500 per mensem, but the question remains whether they were employed in a supervisory capacity. It is no doubt true that in the order of reference both Sadananda Dey and Nishapati Bhattacherjee have described as supervisors. In their evidence also they say that their occupation was that of a supervisor. But apart from this description of designation, there is no evidence describing their duties or describing the capacity in which they worked. The word "Supervisor" and its derivatives are not words of precise import and must often be construed in the light of the context, for unless controlled, they cover an easily simple oversight and direction as manual work coupled with a power of inspection and superintendence of the manual work of others [vide the case of All India Reserve Bank Employees' Association v. Reserve Bank of India, (1965) II LLJ 175 at page 188]. As observed by Gajendragadkar, J, in Lloyds Bank Ltd. v. Panna Lal Gupta and others (1961) I LLJ 18 at page 24:

""** Industrial adjudication has generally taken the view that the supervisor or officer should occupy a position of command or decision and should be authorised to act in certain matters within the limits of his authority without the sanction of the manager or other supervisors."

There is no evidence to show that Sadananda Dey and Nishapati Bhattacherjee were supervisors of that type although categorised as supervisors. That being so, I can not hold that they fall outside the definition of workmen.

- 9. Before I close this award, I need notice one fact. On May 30, 1970, there was an application made before this Tribunal, inter-alia, to the following effect:
 - "2. That the workmen to this dispute were employees in the Head Office of the Company. These workmen were not employed or registered for employment as Dock Workers.

3. That in the circumstances the dispute between the Company and its discharged employees cannot be said to be a dispute relating to major

The said application was not moved at any time before the matter was taken up for peremptory hearing on June 1, 1970. During the course of hearing also, no point was raised on the basis of the said petition. There was no evidence led in support of the new point raised. I do not therefore make much of the point.

10. In the view that I take, I hold that the action of the management of Messrs Santos Chandra Banerjee and Sons Private Limited, Stevedores and Ship-Chandlers, in retrenching the following 6 (six) workmen from the date shown against each was not legal and justified:

1. Shri Sadananda Dey, Supervisor	1-12-67
2 Chri Nicharati Dhattacharia Carra	
2. Shri Nishapati Bhattacherjee, Supervisor	1-2-68
3. Shri Manmatha Nath Dey, Clerk	1-12-67
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4. Shri Kumaresh Ch. Bose, Clerk	1-2-68
	- 2 00
5. Shri Prolahad Ch. Roy, Clerk	1-2-68
6 Shri Radhayallay Chattarias Claus	
6. Shri Radhavallav Chatterjee, Clerk	1-2-68

They are therefore entitled to reinstatement in their service.

- 11. I have now to consider whether the workmen are entitled to any further relief. It appears in evidence that Manmatha Nath Dey, Kumaresh Ch. Bose. Prolahad Ch. Roy and Radhavallav Chatterjee all obtained casual employment under the company after their retrenchment. It would therefore be improper to make an award of full wages, during the period of their retrenchment, in their favour, irrespective of amount received by them as casual workers after retrenchment. The abovenamed four workmen should be paid their wages from the respective dates from their retrenchment less all sums paid to them on account of wages as casual labour.
- 12. Out of the payments to be made to Radhavallav Chatterjee, a sum of Rs. 1,297.09 P. only, evidence by Ex. 1, is, further to be deducted. So far as Sadananda Dey and Nishapati Bhattacherjee, are concerned, they did not work as casual workmen. They are therefore entitled to their full wages since the date of their respective retrenchment. Out of the payment to be made to Nishapati Bhattacherjee, a sum of Rs. 400 evidenced by Ex. 3, is to be deducted. Similarly, a sum of Rs. 2,000, evidenced by Ex. 5, is to be deducted out of payment made to Sadananda Dey. The sums as shown in Exts. 1 and 5 represent payment by way of gratuity made after retrenchment. Since they are being reinstated with back wages, they are not entitled to payment of gratuity at this stage. The payment made to Nishapati Bhattacherjee and evidenced by Ex 3 is shown as advance, which he should reimburse because he is getting his wages in full.

This is my award.

Dated: June 5, 1970.

B. N. BANERJEE, Presiding Officer. [No. 28/83/68-LR, III/P&D.]

C. RAMDAS, Dy. Secy.

(Department of Labour and Employment)

New Delhi the 29th June 1970

S.O. 2289.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tcibunal Calcutta in the industrial dispute between the employers in relation to the management of Joyramdanga Colliery, Post Office Asansol, District Burdwan and their workmen, which was received by the Central Government on the 22nd June, 1970.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA REFERENCE No. 9 of 1970

PARTIES:

Employers in relation to the management of South Joyramdanga Colliery,

AND

Their workmen.

PRESENT:

Mr. B. N. Banerjee-Presiding Officer

APPEARANCES:

On behalf of Employers-Mr. S. K. Bhattacharjee, Advocate.

On behalf of Workmen-Mr. Rajinder Singh, Advocate.

STATE: West Bengal

INDSTRY: Coal Mines.

AWARD

By Order No. F. No. 1/1/70-LR.II, dated February 20, 1970, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred the following industrial dispute between the employers in relation to the management of South Joyramdanga Colliery and their workman, to this Tribunal, for adjudication, namely:

"Whether the management of South Joyramdanga Colliery, Post Office Asansol. District Burdwan is justified in not implementing the recommendations of the Central Wage Board for Coal Mining Industry as accepted by the Government of India in their Resolution No. WB-16(5)/66 dated 21st July, 1967 in respect of payment of Variable Dearness Allowance at the rate of Rs. 1.29 per day with effect from 1st October, 1969, lead and lift, fall back wages to piece-rated workmen, annual increments to the time-rated and monthly paid workmen and non-payment of arrears of wages on account of non-implementation or late implementation of Wage Board recommendations to the workmen? If not, to what relief are the workmen entitled and from what date?"

- 2. This reference, I am constrained to observe, was not conducted by the parties with proper circumspection. The workmen did not file their written statement within the time fixed by the Tribinal. A written statement however, was filed by them on June 12, 1970, about six days before the date fixed for peremptory hearing. The management exhibited worse remissioness and filed a written statement only on the date preceding the date fixed for peremptory hearing. Although much time was consumed in filing the written statement, the statement was not drawn up with much thought. In the order of Reference, the point was whether the management was justified in not implementing the recommendations of the Central Wage Board in respect of payment of Variable Dearness Allowance at the rate of 1.29 per day with effect from 1st October, 1969. The written statement of the workmen proceeded on the theory whether the management was justified in not paying Variable Dearness Allowance at the rate of Rs. 1.11 per day from October 1, 1967 to March 31, 1968 and at the rate of Rs. 1.47 per day from April 1, 1968 to July 31, 1969. This is a pattern of mistake identical with the mistake committed by the Colliery Mazdoor Sabha in Reference No. 8 of 1970 (employers in relation to the management of Monoharbahal Colliery and their workmen). That reference was disposed of in the following manner:
 - "I therefore hold that as between the workmen and the management, there is no dispute as stated in the order of reference, because the dispute covers a larger sphere and has a larger sween. The workmen will not be satisfied even if there be an award in their favour in respect of the dispute in the form as referred to this Tribunal
 - I therefore make an award that there is 'no dispute' between the management and the workmen in the present form. The workmen are at liberty to raise a proper dispute according to law."
- 3 Mr. Ratinder Singh, learned Advocate appearing for the workmen filed a petition therein stating:
 - "That due to certain inherent defect the union representing the workmen is not in a position to proceed and hence it is prayed that Your Lerdship will be pleased to dispose off this reference in the same manner as in Reference No. 8 of 1970."

- 4. Mr. S. K. Bhattacharjee, learned Advocate appearing for the management did not object to the above prayer made on behalf of the workmen.
- 5. I therefore award that there is 'no dispute' as between the workmen and the management in the form referred to this Tribunal, because the dispute covers a larger sphere. There will be a 'no dispute' in the aforesaid circumstances in the present Reference. Nothing in this award will debar the workmen from raising a proper industrial dispute according to law.

This is my award,

Dated, June 19, 1970.

(Sd.) B. N. BANERJEE, Presiding Officer.

[No. 1/1/70-LRII.]

S.O. 2290.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Monohar Bahal Colliery, Post Office Asansol, District Burdwan and their workmen, which was received by the Central Government on the 29th June 1970.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

REFERENCE No. 8 of 1970

PARTIES:

Employers in relation to the management of Monoharbahal Colliery,
And

Their workmen.

PRESENT:

Mr. B. N. Banerjee-Presiding Officer.

APPEARACES:

On behalf of Employers-Sri S. K. Bhattacharjee, Director.

On behalf of Workmen-Sri B. Malkhani,

STATE: West Bengal,

INDUSTRY: Coal Mine.

AWARD

By Order No. 1/2/70-LRII, dated February 20, 1970, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred the following dispute between the employers in relation to the management of Monoharbahal Colliery and their workmen, to this Tribunal, for adjudication, namely:

- "Whether the management of Monoharbahal Colliery, Post Office Asansol, District Burdwan is justified in not implementing the recommendation of the Wage Board for Coal Mining Industry as accepted by the Government of India in the Resolution No. WB. 16(5)/66, dated the 21st July, 1967, in respect of payment of Variable Dearness Allowance at the rate of Rs. 1.29 per day with effect from the 1st October, 1969, lead and lift, fall back wages to piece rated workmen and annual increments to the time rated and monthly paid workmen? If not, to what relief are the workmen entitled and from what date?"
- 2. The workmen, represented by the Vice-President, Colliery Mazdoor Sabha, acted with great remissness in the conduct of their case. They did not file their written statement in time. They did not appear on the date fixed for settling the peremptory date of hearing. Only three days before the date fixed for peremptory hearing, they filed their written statement before this Tribunal. The management has not been supplied with a copy of the written statement even to-day. Then again, the written statement filed on behalf of the workmen is a strange document. Although the dispute is delimited to the non implementation, by the management of Monoharbahal Colliery, of the recommendations of the Wage Board for Coal Mining Industry in respect of payment of variable dearness allowance at the rate of 1.29 P. per day, with effect from October 1, 1969, the written statement proceeded

on the assumption that the dispute covered the period from October 1, 1967 onwards. This will appear from paragraphs 7 and 8 of the written statement which I set out below:—

"7. The employers are, for the aforesaid reasons, in default in respect of payment of variable dearness allowance to each of the workmen employed in the colliery in the following manner:

	~		
Period for which VDA is payable.	Rate at which VDA is payable	Actual rate at which VDA paid	Arrear Due
1-10-67 to 31-3-67 (should be '68)-154 working days	Rs. 1-11 per day	·78 per day	·33 per day 154 × ·33 p-Rs.50·32
1-4-68 to 31-7-69-415 working days	Rs. 1.47 ,,	.78	·69 per day 415× 69 p-Rs. 256·35p.
1-8-69 to 30-9-69-53 working days	Rs. 1·47	ı II ", ",	·36 per day : 53 × 36 p Rs. 19·08 p.

Total Due — Rs. 50.32 + Rs. 286.3 + Rs. 19.08-Rs. 356.52

- 8. The Honourable Tribunal may be pleased to consider the facts and circumstances of the case and may be pleased to hold that the employers were not justified in not paying to the workmen variable dearness allowance at the rate of Rs. 1.11 with effect from 1st October 1967 and at the rate of Rs. 1.47 with effect from 1st April 1968, and, therefore, the workmen are to be paid the said variable dearness allowance as per recommendations of the Wage Board for Coal Mining Industry. The Honourable Tribunal may further be pleased to direct the employers to pay each workmen who has been in service prior to 1st October 1967, Rs. 356.25 as arrear due on account of variable dearness allowance as per recommendations of the Wage Board."
- 3. Mr. Malkhandi, who was appearing for the workinen, submitted that the reference, as made to this Tribunal, covered only a few months of the disputed period and not the whole of it. It that was so, the workinen should have applied for amendment of the order of reference in proper time. They have falled to do so. They cannot now wriggle out of the situation, by asking me to read "1st October 1967" for the date "1st October 1969", as appearing in the order of reference. Finding himself in this tight corner, Mr. Maikhandi submitted that it would not be in the interest of the workmen to pursue the present Reference in the form made. The workmen should take steps to raise an industrial dispute covering the dispute regarding non implementation of variable dearness allowance at the rate recommended by the Wage Board from October 1, 1967 onwards.
- 4. In my opinion, the choice made by Mr. Malkhandi is a proper choice. I therefore hold that as between the workmen and the management, there is no dispute as stated in the order of reference, because the dispute covers a larger sphere and has a larger sweep. The workmen will not be satisfied even if there be an award in their favour in respect of the dispute in the form as referred to this Tribunal.
- 5. I therefore make an award that there is 'no dispute' ketween the management and the workmen in the present form. The workmen are at liberty to raise a proper dispute according to law.

Dated, June 16, 1970.

(Sd.) B. N. BANERJEE, Presiding Officer. [No. 1(2)70-LRII.]

ORDERS

New Delhi, the 23rd June 1970

8.0. 2291.—Whereas the Central Government is of opinion that in industrial dispute exists between the employers in relation to the management of Madhuband Colliery of Oriental Coal Company Limited, Post Office Nudkhurkee, District

Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 3), Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

"Whether the action of the management of Madhuband Collery of Oriental Coal Company Limited, Post Office Nudkhurkee, District Dhanbad, in transferring Shri S. C. Bhattacharjee, Assistant Surveyor, from Madhuband Collery to Badjna Collery vide order No. PS/EST/MD/10163-70, dated the 30th December, 1969, is justified and legal? If not, to what relief is he entitled?

[No. 2/37/70-LRII.]

ग्र।देश

नई दिल्ली, 23 जून, 1970

का । श्रा (2291: -- यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्धय श्रनुसूची में विनिर्दिष्ट विषयों के बारे में श्रोरियटंल काल कम्पनी लिमिटेड, डाकधर नुदखुर्की, जिला धनवाद की मधुबन्ध कोलियारी के प्रबन्ध तंत्र से संबंद्ध नियाजका आर उनके कर्मकारों के बीच एक श्रौद्योगिक विवाद चल रहा है;

श्रीर यतः केन्द्रोग सरकार उन्न निवाद का न्याय निर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

श्रतः, ग्रब, ग्रीद्योगिक विवाद श्रधिनियम, 1967 (1947 का 14) की धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा उक्त विवाद को उक्त ग्रिधिनियम को धारा 7 –क के ग्रधीन गठित केन्द्रीय सरकार के श्रीद्योगिक ग्रधिकरण (सं० 3) धनवाद को न्यानिर्णयन के लिए निर्देशित करती है।

ग्रनुस्'वी

"क्या ग्रोरियंटल काल कम्पनी लिमिटेड, डाकथर नुदखुर्की, जिला धनवाद की मधुबन्द कोलियारी के प्रबंधतंत्रकी श्री एस०सी० भट्टाचाजो, महायक मर्वक्षक को ग्रादेण मं पी०एस०ई०एस०टी०एम०डी० 10163-70, तारीख दिसम्बर, 1969 के अनुसार मधुबन्द कोलियारी से बद्जना कोलियारी को ग्रन्तरित करने को कार्यवाद्या न्यामाजित ग्रीर विधिक है, यादे नहीं, तो वह किम ग्रनुतोष का हक—दार है ?

[सं 2/37/70-एल० ग्रार**ा**]

S.O. 2292.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Real Jambad Colliery, Post Office Bahulla District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

"Whether the management of Real Jambad Colliery Post Office Bahula, District Burdwan is justified in not designating Shri Naba Copal Ghosh as Cap Lamp Incharge and Sarvashri Dulal Chandra Daw, Sudhangsu Ranjan Goswami and Lakhraj Missra as Cap Lamp Issuers (Cap Lamp Clerks) and not paying them salary as per wage Board Recommendation in Coal Industry as accepted by the Government with effect from the 15th August, 1967? If not, to what relief are they entitled?"

[No G/9/70-LRII.]

का० द्या० 2292 — यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध स्मृसूची में वििर्विट्ट विषयों के बारे में रीयल जम्बाद कोलियारी, डाकघर बहला, जिला बर्ववान के प्रबंधतन्न से सबंध नियोजको और उनके कर्मकारों के बीच एक श्रीद्योगिक विवाद चल रहा है ।

श्रीर यत: केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांछनीय समझती है ;

अतः श्रव, श्रौद्योगिक विवाद श्रधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतवृद्धारा उक्त विवाद को उक्त श्रधिनियम की धारा 7— क के श्रधीन गिठत केन्द्रीय सरकार श्रोद्यौ- गिक श्रधिकरण कलकता को न्यायनिर्णय के लिए निर्वेशित है ।

प्रनुसूची

"क्या रीयल जम्बाद कोलियारी, डाकघर बहुला, जिला बर्दवान के प्रवन्धतल का श्री नव गोपाल घोष को, कैप लैम्प इवार्ज के रूप मे श्रीर सर्वश्री दुलाल चन्द्र सा सुघाग्सू रजन गोस्वामी श्रीर लेखराज, मिश्रा को कैप लैम्प इस्यूश्रर (कैप लैम्प लिपिक) के रूप मे पदाभिहित न करना श्रीर 15 श्रगस्त, 1967 से उन्हे, सरकार द्वारा यथा प्रतिगृहित, मजदूरी बोर्ड की कोयला उद्योग के लिए की गई सिफारिशो के अनुसार, वेतन का सदाय न करना न्यायोचित है? यदि नहीं, तो वे किस श्रनुतोष के हकदार है।

[स॰ जो/9/70- एल॰ ग्रार॰ **II**]

New Dolhi, the 24th June 1970

S.O. 2293.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Orient Colliery of Messrs Western Bengal Coal Fields Limited, Post Office Biajrajnagar, District Sambalpur (Orissa) and their workmen in respect of the matters specified in the Schedule hereto annexed,

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

"Whether the action of the management of Orient Colllery of Messrs Western Bengal Coal Fields Limited, Post Office Brajrajnagar, District Sambalpur (Orissa) in refusing employment to the workmen mentioned below with effect from the dates shown against them is justified? If not, to what relief are the workmen entitled?"

Name of the workmen	Designation	Date of refusal of employment		
I. Shri Ram Avetar	Coal cutting Machine Helper	29th November, 1969		
2. Shrl Komal Kewat	Trammer	29th November, 1969		
3. Shri Shyam Behari	T'ramme r	29th November, 1969		
4. Shri Srikishun	Trammer	30th December, 1969		
5. Shri Kishori	Trammer	30th December, 1969		

[No. 1/17/70-LRII.]

नई दिल्ली, 24 जून, 1970

का० ग्रा० 2293 ---यतः केन्द्रीय सरकार की राय है कि इससे उपात्रद्ध ग्रनुसूची में विनिर्दिष्ट विषयों के बारे में मेसर्स बेस्टर्न बंगाल कोल-फील्ड्स लिमिटेड, डाकघर अजराजनगर, जिला सम्भलपुर (उड़ीसा) की ओरिएंट कोलियारी के प्रबन्धतंत्र से सम्बद्ध नियोजकों ग्रौर उनके कर्मकारों के बीच एक ग्रौद्योगिक विवाद चल रहा है।

श्रीर यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, श्रव, श्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त गांकिनयों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार श्रोद्योगिक श्रधिकरण, कलकत्ता को न्यायनिर्णयन के लिए निर्देशित करती है।

ग्रनुसूची

"क्या मेसर्स वेस्टर्न बंगाल कोल फील्ड्स लिमिटेंड, डाकघर भजराजनगर, जिला सम्भलपुर (उड़ीसा) की श्रोरियेंट कोलियारी के प्रबन्धक की नीचे विणत कर्मकारों को उनके सामने विणत तारीखों से नियोजित करने में इनकार करने की कार्यवाही न्यायोजित है ? यदि नहीं, तो कर्मकार किस अनुतोष के हकदार है ?

कर्मकार का नाम	•		पदाभिधान		जित करने ज्रुने की त	
श्री राम ग्रवतार	• •		. कोयला कटाई मशीन [*] मददगाः	29	नवम्बर,	1969
श्री कोमल केवट		•	द्रैमर	29	नवम्बर,	1969
श्री श्याम विहारी			ट्रैमर	29	नवम्बर,	1969
श्री श्रीकिशुन			ट्रैमर	30	दिसम्बर,	1969
श्री किशोरी			ट्रैमर	30	दिसम्बर,	1969

[मं० 1/17/70-एल० श्रार०<II]

New Delhi, the 25th June 1970

S.O. 2294.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Bhagatdih Rise Area Colliery, Post Office Jharia, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 3), Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

"Whether the management of Bhagatdih Risa Area Colliery is justified in bringing a change with effect from the 23rd February, 1970 in the existing facility of 14 days sick leave with full pay enjoyed by the monthly paid workmen into 30 days sick leave with half pay? If not, to what relief are they entitled?"

[No. 2/60/70-LRII.]

नई दिल्ली, 25 जून 1970

का० आ० 2294.—यतः केन्द्रीय सरकार की राय है कि इससे उपावद्य प्रनुसूची में विनिर्दिष्ट विषयों के बारे में भगतडीह राइज एरिया कोलियारी, डाकघर झरिया, जिला धनबाद के प्रबन्धतंत्र से सम्बद्ध नियोजकों ग्रौर उनके कर्मकारों के बीच एक ग्रौद्योगिक विवाद विद्यमान हैं।

ग्रौर यतः केन्द्रीय सरकार उक्त विवाद को न्याय-निर्णयन के लिए निर्देशित करना वांछनीय समझती हैं ;

ग्रत:, ग्रब, ग्रौद्योगिक विवाद ग्रधिनियम, 1947 (1947 का 14) की धारा 10 की उपधार हे (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा उक्त विवाद क उक्त ग्रिधिनियम की धारा 7-क के ग्रधीन गठित केन्द्रीय सरकार ग्रौद्योगिक ग्रधिकरण (सं० 3), धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

श्रनुसूची

"क्या भगतडीह राइज एरिया कोलियारी के प्रबन्धतंत्र का मासिक वेतन पाने वाले कर्म कारों द्वारा 14 दिन की बीमारी के पूरे वेतन सहित छुट्ठी को 30 दिन की बीमारी की ग्राधे दिन की ग्राधे वेतन सहित छुट्टी के रूप में उपभोग करने की विद्यमान सुविधा में 23 फरवरी, 1970 से परिवर्तन करना न्यायोचित है ? यदि नहीं, तो वे किस ग्रनुतोष के हकदार हैं ?"

S.O. 2295.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Murulidih Colliery of Messrs Kalyanji Mavji and Company, Post Office Mohuda, District Dhanbad and their workmen in respect of the matters specified in hte Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conformed by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act. 1947 (14 of 1947), the Central Government hereby refers the raid dispute for adjudication to the Central Government Industrial Tribunal (No. 3), Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

"Whether the action of the management of Murulidih Colliery of Messrs Kalyanji Mavji and Company, post Office Mohuda, District Dhanbad in stepping from work Shri Raghungth Manjhi, Miner, een of Shri Dubai Manjhi, with effect from the 17th December, 1968, is justified? If not, to what relief is the workman concerned entitled?"

[No. 2/66/70-LRII.]

सड़ी दिल्ली, 25 जून, 1970

का॰ का॰ 2295.—अम: फंन्फ्रीय स॰कार की राध है कि इसमे उपायक अनुसूची में विनिर्दिष्ट किवारी के बारे में मेसमें करयाण की माधजी एण्ड कम्पनी, डाकघर मोहुदा, जिला अनवाद की मुरलीडोह कोक्तिवारी के अध्यन्धलंक से सम्बद्ध नियोजको और उसके कर्मकारों के बीच एक श्रीद्योगिय विवाद विध-मान है :

और वस: केन्द्रीय भक्तार उपन विषय को न्याय-निर्णयन के निष् निर्वेश्वित करना योधनीय समझती है;

जितः, ज्यम, श्रीव्योगिक विवाद श्रधिनियम, 1947 (1947 का 14) की धारा 10 की उपकारा (1) के बण्ड (घ) द्वारा श्रवत श्रीवित्यमं अपितमों का प्रयोग करते हुए, केश्कीय सरकार एतव्हारा उन्त विवाद को उन्त श्रीधिनियम की धारा 7—क के भ्रधीन गठित केन्द्रीय सरकार श्रीद्योगिक व्यक्तिक्रपण (सं० 3), भ्रनवाद को त्याय निर्मयम के लिए निर्देशित करती है।

ग्रमुस्पी

न्या मेसर्स कर्याण जी सावजी एक्ड कस्पनी, डाकबर मोहुवा, जिला धनवादकी मुरलिक्षेत्रं कोलियारी के प्रबन्धतंत्र की भी रघुनाथ मासी, खनिक, सुपुत्र श्री दुवई मांसी की 17 दिसस्वर, 1968 से काम करने से रोकनं की कार्यव्राही स्थायी बित है ? यदि नहीं तो संबंधित कर्मकार किस अनुतोध का क्रकवार है ?"

[मं॰ 2/66/70-एल॰ धार॰ II]

New Dolhi, the 37th June 1970

\$.0. 2296.—Whereas an industrial dispute exists between the management of Hindustan Zinc Limited Udaipur (hereinafter referred to as the said Company) and their workmen represented by Zawar Mines Mazdoor Sangh, Udaipur (hereinafter referred to as the said Union);

And whereas the said Company and the said Union have, by a written agreement, in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration of the persons mentioned therein, and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now therefore in pursuance of the provisions of sub-section (3) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement which was received by it on the 10th June, 1979.

AGREEMENT

(Under section 10A of the Industrial Disputes Act, 1947)

BETWEEN

Hindustan Zinc Ltd., Udaipur.—& Zawar Mines Mazdeor Sangh, Udaipur.

Representating employers.—Secretary, Hindustan Zinc Ltd., Hospital Road,
Udaipur.

Representing workmen.-General Secretary, Zawar Mines Mazdoor Sangh, Udaipur.

It is hereby agreed between the parties to refer the following dispute to the arbitration of Shri B. L. Wadehra, Industrial Relations Adviser, Fertilizer Corporation of India, F-35, NDSE Part-I. Ring Road, New Delhi and Shri Kanti Mehta, General Secretary, Indian National Mine Workers Federation, 9, Eigin Road.

Calcutta-20:

(1) Specific matters in dispute.

(1) (a) Whether the introduction of house rent at the higher rates is justified, and if so, at what rate?

(h) In case the house rent at the higher rate is to be payable by the workmen under the award, are they entitled to any compensation in lieu thereof? It so, the quantum of compensation payable and the form of such compensation.

(ii) Whether the demand of the Mazdoor Sangh for increase in minimum Dearness Allowance so as to bring up the minimum wage to the level of that prevailing for the National Coal Development Corporation workers and for increase in Dearness Allowance of the workers failing in other higher slabs of wages, including introduction of 4 slabs in place of the existing 3 slabs and also the demand for increase in the rates of neutralisation, are justified? If so, what should be the revised Dearness Allowance Scheme and from what date?

and address of the establish-

ment or undertaking involved. 3. Name of the Union. If any, representing the workman or

4. Total number of workmen employed in the undertaking affected.

workmen in question.

5. Estimated number of workmen : All workmen of Zawar Mines. affected or likely to be affected by the dispute.

2. Details of the parties to the dispute including the name of India Undertaking) Hospiof India Undertaking) Hospital Road, Udaipur.

> : (2) Workmen of Zawar Mines Zawar Mines Mazdoor Sangh, Udaipur.

Approximately 1800.

We further agree that in case the arbitrators are equally divided in their opinion, that they shall appoint another person as umpire whose award shall be binding

on us. The arbitrators shall make their award within a period of 3 months, (agreed upon by the parties) or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to arbitration shall stand automatically carcelled and we shall be free to negotiate for fresh arbitration,

> Signature of the parties. Representing employer. Sd/-A. K. SRN GUPTA, Secretary (Hadristan Zinc Representing Workmen 5d/-B. CHOUDHURY, General Secretary. Zawar Mines Mazdoor Sangh

Dated the 5th June, 1970. Witnesses:

1. Sd/-ILLEGIALE. 2. Sd'-ILLEGIBLE.

[No. 12 (15)70-LRIV.

T. K. RAMCHANDRAN, Under Secv.

(Department of Labour and Employment)

CORRIGENDUM

New Delhi, the 23rd June 1970 S.O. 2297.—In the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1580, dated the 17th April, 1970, published at page 2125 of the Gazette of India, Part II Section 3, Sub-section (ii) dated the 2nd May, 1970,—

(i) for "mouldings and" read "moulding sand"; and

(ii) in the Schedule, in item (i) under column (3), for "9:5 metres" read "1:5 metres".

J. D. TEWARI, Under Secy.